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CC: Karl

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**Sunnyside Cogeneration Associates**

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

March 23, 2010

Daron Haddock
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

RE: Annual Report for 2009
SCA Sunnyside Mining Permit, C/007/035

Dear Mr. Haddock:

Please find enclosed two copies of SCA's Annual report for 2009, for coal mining and reclamation operations at the SCA Sunnyside site. This report is inclusive of the activities that occurred within the SCA Sunnyside Mining Permit area during 2009.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

Thank You,

Richard Carter
Agent For
Sunnyside Cogeneration Associates

cc. Steve Gross
William Rossiter
Maggie Estrada
Paul Shepard
Rusty Netz
Plant File

File in:
☐ Confidential
☒ Shelf
☐ Expandable
Refer to Record No 0005 Date 03232010
In C/007/035 2010 Incoming
For additional information

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DIV. OF OIL, GAS & MINING

# 2009 Annual Report

## Sunnyside Cogeneration Associates
## Sunnyside Refuse and Slurry
## C/007/035

# SUNNYSIDE COGENERATION ASSOCIATES
# SUNNYSIDE REFUSE/SLURRY
# C/007/0035
# 2009 ANNUAL REPORT

Submitted to:

State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

# SUNNYSIDE COGENERATION ASSOCIATES

## SUNNYSIDE REFUSE/SLURRY
## 2009 ANNUAL REPORT

# TABLE OF CONTENTS

# I. GENERAL PERMIT INFORMATION

**Permit Number:** C/007/0035

**Mine Name:** Sunnyside Refuse/Slurry

**Permittee:** Sunnyside Cogeneration Associates

**Company Representative & Resident Agent:**
Mr. Richard Carter
One Power Plant Road
PO Box 159
Sunnyside, UT 84539
(435) 888-4476
(435) 888-2538 fax

**Date of Initial Permanent Program Permit:** February 4, 1993

**Date of Most Recent Permit Renewal:** February 4, 2008

**Date of Expiration:** February 4, 2013

SCA plans to complete the reclamation bond renewal process in 2010.

## II. IDENTIFICATION OF OTHER PERMITS

| | | |
|---|---|---|
| **MSHA ID Numbers:** | Sunnyside Waste Coal Site | 42-02093 |
| | Coarse Refuse Pile | 1211-UT-09-02093-01 |
| | Excess Spoil Disposal Area #1 | 1211-UT-09-02093-04 |
| | Excess Spoil Disposal Area #2 | 1211-UT-09-02093-05 |

**UPDES Permit Number:** UT0024759 Renewed effective August 1, 2007
Expires July 31, 2012

**Air Quality Title V Operating Permit: #700030001**

SCA renewed its Title V permit in 2007. Most of the emissions are associated with the power plant adjacent to the SCA Sunnyside mining permit area. The mining operation generates little to no emissions. However the Operating Permit covers all of SCA's operations in Sunnyside.

## III. CERTIFIED REPORTS

Each impoundment as well as the Refuse Pile and Excess Spoil Disposal Areas was inspected in accordance with the requirements of the Mining and Reclamation Permit. The quarterly and annual inspection / certification reports were submitted to the Division throughout the year. These reports are also included in **Appendix A**.

All of the impoundments met or exceeded the storage capacity requirements identified in the permit. No discharges occurred from any of the impoundments during 2009.

All of the spoils materials and coal reject materials generated during 2009 were placed in the Excess Spoil Disposal Area #2. No new materials were placed in the Excess Spoil Disposal Area #1. Construction is progressing in general conformance with design requirements as currently approved.

SCA gathered soil samples from the Excess Spoil Disposal Area #2 during 2009. The analytical test results have not yet been received from the lab so they will be reported with the 2010 quarterly inspection reports.

Excavation of Coarse and Fine Refuse from the Refuse Pile occurred in general conformance with the operational criteria and performance standards established in the permit.

# IV. REPORTING OF OTHER TECHNICAL DATA

## 1. Climatological Data

SCA has obtained precipitation and climatological data for 2009 from the Sunnyside Weather Station operated by the City of Sunnyside. A summary table identifying this data is included in **Appendix B-1.**

## 2. Subsidence Monitoring Data

No subsidence monitoring is required by the approved plan. No material damage or diminution within the Permit Area will be caused by subsidence because no underground coal resources are available within the permit area that would cause subsidence. No past or future underground coal mining operations have or are likely to occur within the SCA Permit Area.

## 3. Vegetation Monitoring Data

During 2009, no new areas received final reclamation treatment. In an effort to perform contemporaneous reclamation, SCA is committed to reclaim areas of two acres or larger that are permanently excavated of waste, and are no longer needed for the continued operations. There are currently no areas that meet these criteria.

In 2007, SCA performed quantitative sampling of the Old Coarse Refuse Road that was reclaimed in 1994. This sampling was conducted with the anticipation that SCA could submit an application for Final Phase III Bond Release with the 2006 data set being used as "Year 1" and the 2007 data set as "Year 2" of the two consecutive years of vegetation monitoring necessary to apply for bond release. SCA has not yet filed the paperwork necessary to request final bond release. No additional sampling is required for this area.

Interim reseeding has been performed in previous years on several areas throughout the permit site. This interim seeding was accomplished using the approved interim seed mix included in the permit. These areas previously reseeded with the interim revegetation seed mix have been periodically checked by SCA and appear to have vegetative growth similar to the surrounding area.

## 4. Raptor Surveys and Wildlife Programs

Discussions were held in 1998 with the Division concerning whether or not raptor surveys would be needed. Both the permittee and the Division have agreed that, considering the location of the permit site and the ongoing nature of SCA's activities, it is highly unlikely that the mining and reclamation activities of SCA would negatively affect raptor nesting sites. Therefore, raptor studies would have little value and are not required by the approved permit. Hence, no raptor studies have been performed.

SCA is committed to carrying out its operations in a manner that minimizes potential impact on wildlife in the area. These operations are centered on excavation and hauling activities in and around the coal pile and storage areas. These operations continue to be performed in a manner that does not prevent the necessary migration of large mammals. No additional efforts have been requested by DOGM to provide for migration routes.

SCA also provides periodic wildlife awareness training during employee staff meetings to educate employees associated with the site activities regarding the values of the wildlife resources in the local area. Employee training advises against unnecessary harassment or taking of wildlife on site.

## 5. Water Monitoring Data

As required in the approved plan, SCA performed quarterly water monitoring at the specified surface and ground water monitoring locations. These sites were analyzed according to the Operational Water Quality Monitoring Parameters listed in the MRP (Appendix 7-8). SCA has prepared an analysis of the water quality obtained during the period 2003-2008 for comparison with the data obtained during the 1993-1995 Baseline Monitoring Period and the 1996-2002 Operational Monitoring Period. The results of these analyses indicate that the water quality has remained in general similarity to that observed during the prior monitoring periods. This analysis report was included in Appendix B-4 of the 2009 Annual Report. A summary of the 1993-1995 Baseline water quality data is included in the MRP as Appendix 7-4. A summary of the 1996-2002 Operational water quality data is included in the MRP as Appendix 7-10.

The 2009 water data from each of the quarterly monitoring periods was submitted to the Division throughout the year. An additional copy of the data has been included in **Appendix B-3** of this report.

## 6. Geological / Geophysical Data

No periodic Geological / Geophysical monitoring is required in the approved plan. The data included as resource information in the plan is considered adequate for the operations of SCA. In the event that the operations of SCA change dramatically such that additional geologic or geophysical data becomes necessary, additional analysis will be performed at that time.

## 7. Engineering Data

a. Refuse Excavation

During 2009, SCA excavated 189,191 tons from the Sunnyside permit area. Of that, 65,564 tons was rejected to the Excess Spoil Disposal Area #2 and 123,617 tons was burned. The Sunnyside facility also received 271,325 tons from the Star Point facility;

b. Excess Spoils Disposal Area #1

No new material was placed in this disposal area during 2009.

c. Excess Spoil Disposal Area #2

Placement and compaction of fill material occurred in this disposal area throughout 2009. Materials placed in the disposal area consist mostly of coarse refuse rejects, but also include some general spoils material. Approximately 65,564 tons of material were placed in this disposal area during 2009. ($1^{st}$ qtr – 11,519; $2^{nd}$ qtr – 20,130; $3^{rd}$ qtr – 17640; $4^{th}$ qtr – 16,275 tons). Material samples were taken towards the end of 2009. Lab analysis of these samples will be provided with the quarterly inspections in 2010.

Inspections of the refuse area and both spoils areas are conducted on a quarterly basis. Reports from these site visits are submitted to the Division throughout the year and have been included in this report with the certified reports.

## 8. Soils Monitoring Data

No periodic soil monitoring is required by the approved plan. The approved borrow areas reserved for reclamation activities have previously undergone soils studies from which the data is included in Chapter 2 of the Permit.

In the event that SCA determines it necessary to utilize soils from other sources for reclamation, the proper analysis will be performed at that time.

## 9. Other Data

No additional periodic data is required in the approved plan.

## V. LEGAL, FINANCIAL, COMPLIANCE & RELATED INFORMATION

Sunnyside Cogeneration Associates is a joint venture between Sunnyside Holdings I, Inc. and Sunnyside II, L.P. **Appendix C** includes copies of the Certificates of Existence for Sunnyside Cogeneration Associates, Sunnyside Holdings I. Inc. and Sunnyside II, L.P. The Utah Department of Commerce, Division of Corporations and Commercial Code issues these certificates. They demonstrate that the entities are in good standing with the State of Utah.

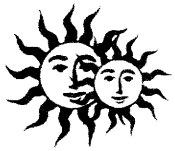
## VI. MINE MAPS

The mine map included in **Appendix D** of this report includes recent site contours and a photograph showing the surface configuration of the refuse area being excavated. This refuse is then utilized as fuel for the adjacent Cogeneration Facility. The aerial survey used to generate contours of the site was performed in April 2007.

Mining excavation of the refuse pile has occurred in general conformance with the approved mining plan.

Mining activity proposed for the next five years is projected to occur in general conformance with the mining plan shown on the PE Certified drawings approved in the Mining and Reclamation Permit.

# APPENDIX A
# CERTIFIED REPORTS



# APPENDIX A
# CERTIFIED REPORTS

## FIRST QUARTER INSPECTION

## IMPOUNDMENTS, REFUSE PILE AND DISPOSAL AREAS

# Sunnyside Cogeneration Associates

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538


April 28, 2009

Daron Haddock
Utah Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

RE: First Quarter 2009 Inspection Report
Sunnyside Refuse Pile C/007/035

Dear Daron:

Please find enclosed a copy of the First Quarter 2009 Inspection Report for Sunnyside Cogeneration Associates' impoundments, refuse pile and excess spoil areas.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

Thank You,

Michael J. Blakey
Agent For
Sunnyside Cogeneration Associates

c.c. Steve Gross
William Rossiter
Paul Shepard
Maggie Estrada
Rusty Netz
Plant File

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**GENERAL INFORMATION** **Railcut Sediment Pond**

| | |
|---|---|
| Report Date | April 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | RailCut Sediment Pond |
| Impoundment Number | 007 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | March 19, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | First Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 4.8 Acre-feet
Pond bottom elevation = 6206.0
100% Sediment Storage Volume = 0.34 acre-feet at Elevation 6209
60% sediment Storage Volume = 0.2 acre feet at Elevation = 6207.7
Existing Sediment Elevation = 6207.0 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6209.07
Emergency Spillway Elevation = 6212.34

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken Pond did not require decanting
Sediment levels were good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Rail Cut Sediment Pond**

## 3. Field Evaluation.

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 4/28/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

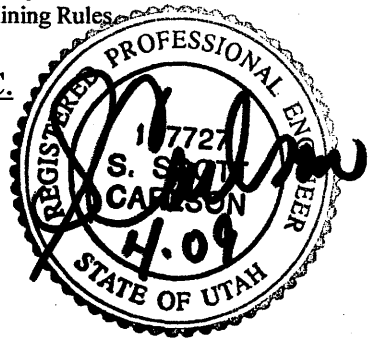
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Old Coarse Refuse Road Sediment Pond**

**GENERAL INFORMATION**

| | |
|---|---|
| Report Date | April 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | Old Coarse Refuse Road Sediment Pond |
| Impoundment Number | 008 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | March 19, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | First Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 0.9 Acre-feet
Pond bottom elevation = 6394.0
100% Sediment Storage Volume = 0.08 acre-feet at Elevation 6395.1
60% sediment Storage Volume = 0.05 acre feet at Elevation = 6394.75
Existing Sediment Elevation = 6394.25 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6395.75
Emergency Spillway Elevation = 6399.4

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken Pond did not require decanting.
Sediment level was good.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Old Coarse Refuse Road Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 4/28/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

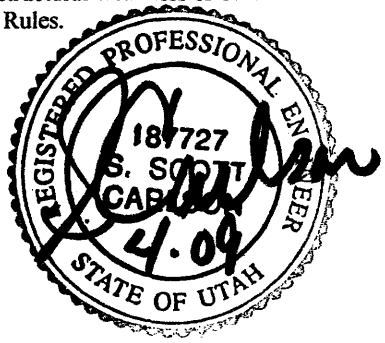
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Pasture Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | April 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Pasture Sediment Pond |
| Impoundment Number | 009 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | March 19, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | First Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 3.2 Acre-feet
Pond bottom elevation = 6484.5
100% Sediment Storage Volume = 0.42 acre-feet at Elevation 6486.2
60% sediment Storage Volume = 0.25 acre feet at Elevation = 6485.5
Existing Sediment Elevation = 6485.0 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6486.6
Emergency Spillway Elevation = 6490.6

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

**Pasture Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure were observed.
A small amount of water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

**QUALIFICATION STATEMENT:**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Ntz Date: 4/28/09

**CERTIFIED REPORT**
**IMPOUNDMENT EVALUATION**

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

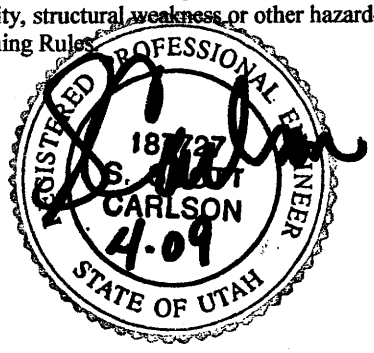
**COMMENTS/ OTHER INFORMATION**

None

**CERTIFICATION STATEMENT:**

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coarse Refuse Toe Sediment Pond**

**GENERAL INFORMATION**

| | |
|---|---|
| Report Date | April 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | New Coarse Refuse Toe Sediment Pond |
| Impoundment Number | 012 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | March 19, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | First Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.6 Acre-feet
Pond bottom elevation = 6176.0
100% Sediment Storage Volume = 0.07 acre-feet at Elevation 6177.8
60% sediment Storage Volume = 0.03 acre feet at Elevation = 6177.0
Existing Sediment Elevation = 6176.5 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6178.2
Emergency Spillway Elevation = 6183.63

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken Pond did not require decanting
Sediment level was good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coarse Refuse Toe Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Ety Date: 4/28/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

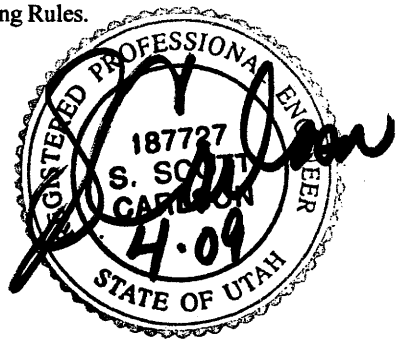
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**GENERAL INFORMATION** **Coal Pile Sediment Pond**

| | |
|---|---|
| Report Date | April 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | Coal Pile Sediment Pond |
| Impoundment Number | 014 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | March 19, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | First Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.5 Acre-feet
Pond bottom elevation = 6473.0
100% Sediment Storage Volume = 0.5 acre-feet at Elevation 6476.0
60% sediment Storage Volume = 0.3 acre feet at Elevation = 6474.7
Existing Sediment Elevation = 6473.8 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6476.0
Secondary Dewatering Orifice = 6477.2
Primary Spillway Elevation = 6477.9
Emergency Spillway Elevation = 6479.0

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coal Pile Sediment Pond**

## 3. Field Evaluation.

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
A small amount of water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 4/28/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

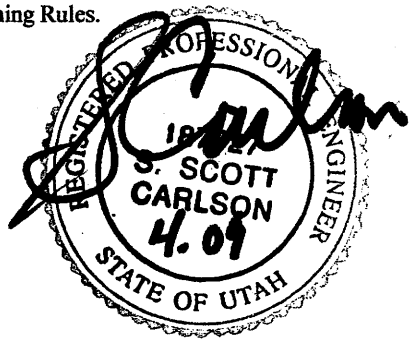
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Borrow Area Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | April 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Borrow Area Sediment Pond |
| Impoundment Number | 016 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | March 19, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | First Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 8.3 Acre-feet
Pond bottom elevation = 6510.0
100% Sediment Storage Volume = 2.3 acre-feet at Elevation 6514.3
60% sediment Storage Volume = 1.4 acre feet at Elevation = 6513.3
Existing Sediment Elevation = 6511 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6514.3
Emergency Spillway Elevation = 6517.03

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken
Sediment level was good. Pond did not require decanting.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Borrow Area Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Netz Date: 4/28/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

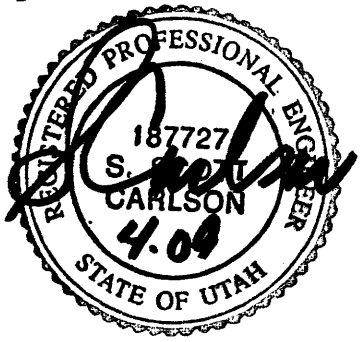
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Coarse Refuse Pile**

Report Date April 20, 2009
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Coarse Refuse Pile
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-01

Inspection Date March 19, 2009
Inspected by Rusty Netz
Reason for Inspection First Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

N/A - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Coarse Refuse Pile**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Refuse material is actively being excavated and removed from various locations across the top of the pile

The East Slurry Cell has been decommissioned and the coal refuse material stored therein has been incorporated as part of the Coarse Refuse Pile.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

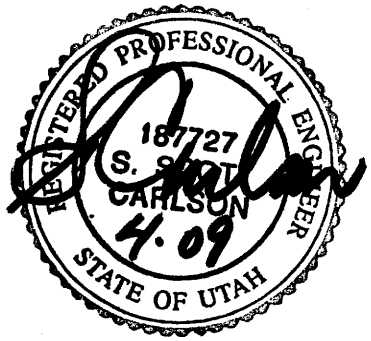
Signature: Rusty Netz Date: 4/28/09

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Excess Spoil Disposal Area #1**

Report Date April 20, 2009
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Excess Spoil Disposal Area #1
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-04

Inspection Date March 19, 2009
Inspected by Rusty Netz
Reason for Inspection First Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

No new material was placed during the quarter.

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Excess Spoil Disposal Area #1**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Construction of the fill has been proceeding in shallow lifts in general conformance with the approved plan.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

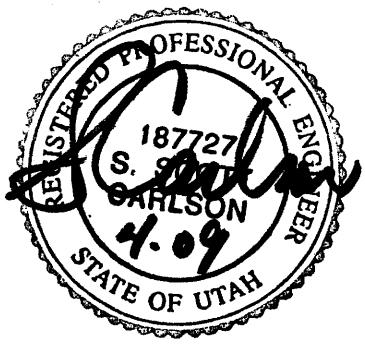
Signature: Rusty Netz Date: 4/28/09

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Excess Spoil Disposal Area #2**

Report Date April 20, 2009
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Excess Spoil Disposal Area #2
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-05

Inspection Date March 19, 2009
Inspected by Rusty Netz
Reason for Inspection First Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

   Existing disturbed site. No additional topsoil removal is required by the approved plan

2. Placement of underdrains and protective filter systems.

   No under-drains or filters area required by the approved plan

3. Installation of final surface drainage systems

   N/A

4. Placement and compaction of fill materials

   Approximately 11,519 tons of material were placed in this disposal area during the quarter.

5. Final grading and revegetation of fill.

   N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

   No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Excess Spoil Disposal Area #2**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Both Slurry Ponds 1 & 2 have now been filled. The Clear Water Pond has been included within this Disposal Area. SCA has completed an enlargement of the Pasture Pond and has decommissioned the Clear Water Pond and incorporated the area within this Disposal Area. They can also continue filling the disposal area to the height approved.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

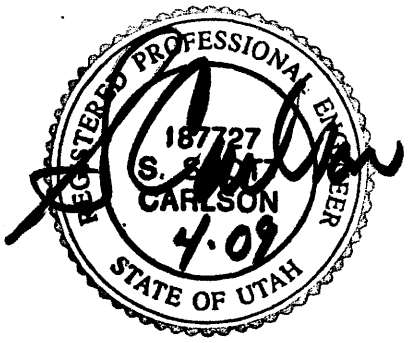
Signature: Rusty Nuty Date: 4/28/09

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



# APPENDIX A
# CERTIFIED REPORTS

## SECOND QUARTER INSPECTION

## IMPOUNDMENTS, REFUSE PILE AND DISPOSAL AREAS

**Sunnyside Cogeneration Associates**

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

July 24, 2009

Daron Haddock
Utah Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

RE: Second Quarter 2009 Inspection Report
Sunnyside Refuse Pile C/007/035

Dear Daron:

Please find enclosed a copy of the Second Quarter 2009 Inspection Report for Sunnyside Cogeneration Associates' impoundments, refuse pile and excess spoil areas.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

Thank You,

Richard Carter
Agent For
Sunnyside Cogeneration Associates

c.c. Steve Gross
William Rossiter
Paul Shepard
Maggie Estrada
Rusty Netz
Plant File

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**GENERAL INFORMATION** **Railcut Sediment Pond**

| | |
|---|---|
| Report Date | July 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | RailCut Sediment Pond |
| Impoundment Number | 007 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | June 25, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Second Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 4.8 Acre-feet
Pond bottom elevation = 6206.0
100% Sediment Storage Volume = 0.34 acre-feet at Elevation 6209
60% sediment Storage Volume = 0.2 acre feet at Elevation = 6207.7
Existing Sediment Elevation = 6207.1 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6209.07
Emergency Spillway Elevation = 6212.34

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken Pond did not require decanting
Sediment levels were good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Rail Cut Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Ney Date: 7/24/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

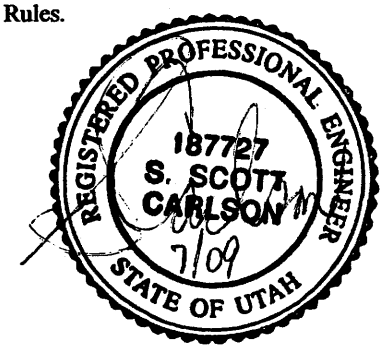
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Old Coarse Refuse Road Sediment Pond**

**GENERAL INFORMATION**

| | |
|---|---|
| Report Date | July 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | Old Coarse Refuse Road Sediment Pond |
| Impoundment Number | 008 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | June 25, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Second Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 0.9 Acre-feet
Pond bottom elevation = 6394.0
100% Sediment Storage Volume = 0.08 acre-feet at Elevation 6395.1
60% sediment Storage Volume = 0.05 acre feet at Elevation = 6394.75
Existing Sediment Elevation = 6394.3 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6395.75
Emergency Spillway Elevation = 6399.4

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken Pond did not require decanting.
Sediment level was good.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Old Coarse Refuse Road Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 7/24/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH


Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Pasture Sediment Pond**

**GENERAL INFORMATION**

| | |
|---|---|
| Report Date | July 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | Pasture Sediment Pond |
| Impoundment Number | 009 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | June 25, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Second Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 3.2 Acre-feet
Pond bottom elevation = 6484.5
100% Sediment Storage Volume = 0.42 acre-feet at Elevation 6486.2
60% sediment Storage Volume = 0.25 acre feet at Elevation = 6485.5
Existing Sediment Elevation = 6485.1 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6486.6
Emergency Spillway Elevation = 6490.6

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

**Pasture Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure were observed.
A small amount of water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Ady Date: 7/24/09

## CERTIFIED REPORT IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

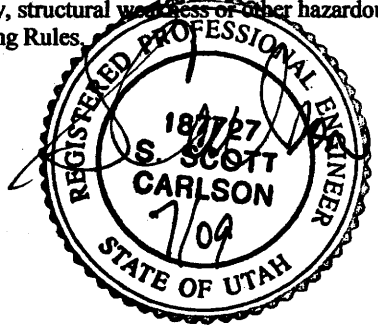
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coarse Refuse Toe Sediment Pond**

**GENERAL INFORMATION**

| | |
|---|---|
| Report Date | July 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | New Coarse Refuse Toe Sediment Pond |
| Impoundment Number | 012 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | June 25, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Second Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.6 Acre-feet
Pond bottom elevation = 6176.0
100% Sediment Storage Volume = 0.07 acre-feet at Elevation 6177.8
60% sediment Storage Volume = 0.03 acre feet at Elevation = 6177.0
Existing Sediment Elevation = 6176.5 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6178.2
Emergency Spillway Elevation = 6183.63

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken Pond did not require decanting
Sediment level was good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coarse Refuse Toe Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Ney Date: 7/24/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

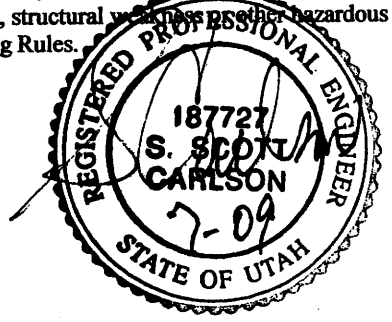
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**GENERAL INFORMATION** **Coal Pile Sediment Pond**

Report Date July 20, 2009
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**IMPOUNDMENT IDENTIFICATION**

Impoundment Name Coal Pile Sediment Pond
Impoundment Number 014
UPDES Permit Number UT024759
MSHA ID Number N/A

**IMPOUNDMENT INSPECTION**

Inspection Date June 25, 2009
Inspected by Rusty Netz
Reason for Inspection Second Quarter Inspection 2009

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.5 Acre-feet
Pond bottom elevation = 6473.0
100% Sediment Storage Volume = 0.5 acre-feet at Elevation 6476.0
60% sediment Storage Volume = 0.3 acre feet at Elevation = 6474.7
Existing Sediment Elevation = 6473.9 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6476.0
Secondary Dewatering Orifice = 6477.2
Primary Spillway Elevation = 6477.9
Emergency Spillway Elevation = 6479.0

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coal Pile Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
A small amount of water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Netz Date: 7/24/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

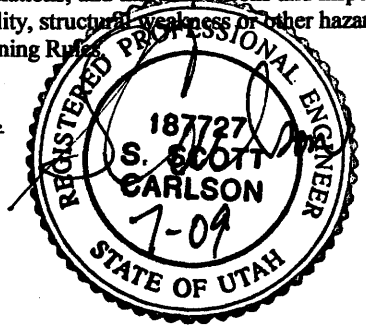
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Borrow Area Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | July 20, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Borrow Area Sediment Pond |
| Impoundment Number | 016 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | June 25, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Second Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 8.3 Acre-feet
Pond bottom elevation = 6510.0
100% Sediment Storage Volume = 2.3 acre-feet at Elevation 6514.3
60% sediment Storage Volume = 1.4 acre feet at Elevation = 6513.3
Existing Sediment Elevation = 6511 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6514.3
Emergency Spillway Elevation = 6517.03

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken
Sediment level was good. Pond did not require decanting.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Borrow Area Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty nuty Date: 7/24/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

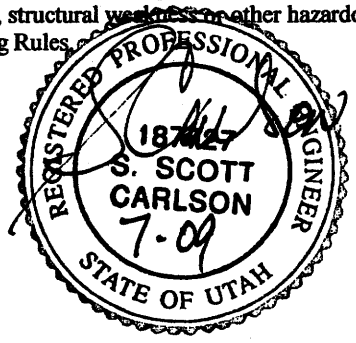
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Coarse Refuse Pile**

Report Date July 20, 2009
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Coarse Refuse Pile
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-01

Inspection Date June 25, 2009
Inspected by Rusty Netz
Reason for Inspection Second Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

N/A - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Coarse Refuse Pile**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Refuse material is actively being excavated and removed from various locations across the top of the pile

The East Slurry Cell has been decommissioned and the coal refuse material stored therein has been incorporated as part of the Coarse Refuse Pile.

## QUALIFICATION STATEMENT:

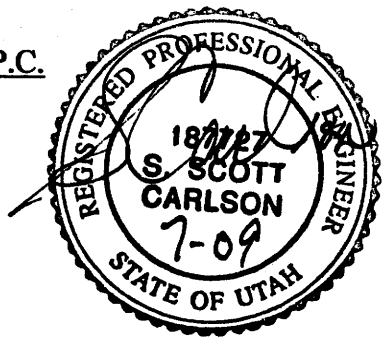
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty nt Date: 7/24/09

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Excess Spoil Disposal Area #1**

Report Date July 20, 2009
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Excess Spoil Disposal Area #1
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-04

Inspection Date June 25, 2009
Inspected by Rusty Netz
Reason for Inspection Second Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

No new material was placed during the quarter.

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Excess Spoil Disposal Area #1**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Construction of the fill has been proceeding in shallow lifts in general conformance with the approved plan.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

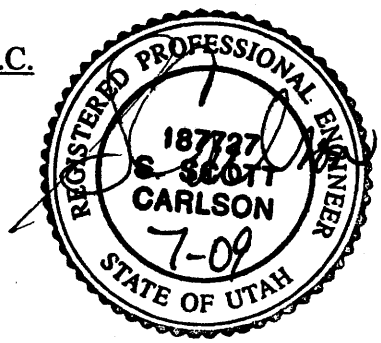
Signature: Rusty Net Date: 7/24/09

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Excess Spoil Disposal Area #2**

Report Date July 20, 2009
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Excess Spoil Disposal Area #2
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-05

Inspection Date June 25, 2009
Inspected by Rusty Netz
Reason for Inspection Second Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

Existing disturbed site. No additional topsoil removal is required by the approved plan

2. Placement of underdrains and protective filter systems.

No under-drains or filters area required by the approved plan

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

Approximately **20,130 tons** of material were placed in this disposal area during the quarter.

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Excess Spoil Disposal Area #2**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Both Slurry Ponds 1 & 2 have now been filled. The Clear Water Pond has been included within this Disposal Area. SCA has completed an enlargement of the Pasture Pond and has decommissioned the Clear Water Pond and incorporated the area within this Disposal Area. They can also continue filling the disposal area to the height approved.

## QUALIFICATION STATEMENT:

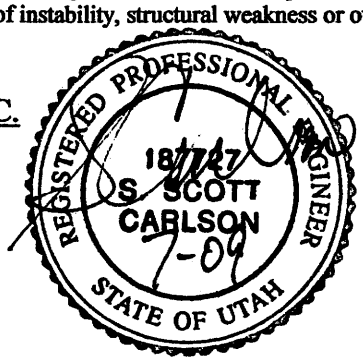
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Nty Date: 7/24/09

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# APPENDIX A
# CERTIFIED REPORTS

## THIRD QUARTER INSPECTION

## IMPOUNDMENTS, REFUSE PILE AND DISPOSAL AREAS

**Sunnyside Cogeneration Associates**

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

October 16, 2009

Daron Haddock
Utah Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

RE: Third Quarter 2009 Inspection Report
Sunnyside Refuse Pile C/007/035

Dear Daron:

Please find enclosed a copy of the Third Quarter 2009 Inspection Report for Sunnyside Cogeneration Associates' impoundments, refuse pile and excess spoil areas.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

Thank You,

Richard Carter
Agent For
Sunnyside Cogeneration Associates

c.c. Steve Gross
William Rossiter
Paul Shepard
Maggie Estrada
Rusty Netz
Plant File

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**GENERAL INFORMATION** **Railcut Sediment Pond**

Report Date October 7, 2009
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**IMPOUNDMENT IDENTIFICATION**

Impoundment Name RailCut Sediment Pond
Impoundment Number 007
UPDES Permit Number UT024759
MSHA ID Number N/A

**IMPOUNDMENT INSPECTION**

Inspection Date September 17, 2009
Inspected by Rusty Netz
Reason for Inspection Third Quarter Inspection 2009

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 4.8 Acre-feet
Pond bottom elevation = 6206.0
100% Sediment Storage Volume = 0.34 acre-feet at Elevation 6209
60% sediment Storage Volume = 0.2 acre feet at Elevation = 6207.7
Existing Sediment Elevation = 6207.1 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6209.07
Emergency Spillway Elevation = 6212.34

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting
Sediment levels were good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Rail Cut Sediment Pond**

## 3. Field Evaluation.

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
Some water was impounded
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty nt Date: 10/16/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

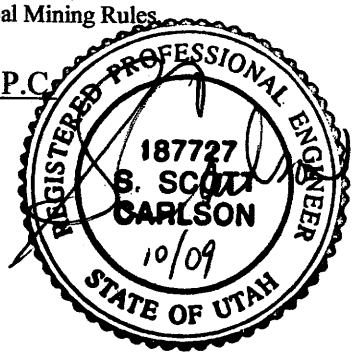
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Old Coarse Refuse Road Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | October 7, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Old Coarse Refuse Road Sediment Pond |
| Impoundment Number | 008 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | September 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Third Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 0.9 Acre-feet
Pond bottom elevation = 6394.0
100% Sediment Storage Volume = 0.08 acre-feet at Elevation 6395.1
60% sediment Storage Volume = 0.05 acre feet at Elevation = 6394.75
Existing Sediment Elevation = 6394.3 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6395.75
Emergency Spillway Elevation = 6399.4

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Old Coarse Refuse Road Sediment Pond**

## 3. Field Evaluation.

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
Some water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 10/16/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

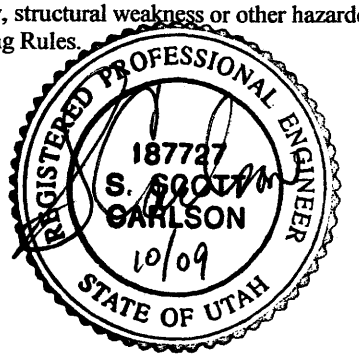
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Pasture Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | October 7, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Pasture Sediment Pond |
| Impoundment Number | 009 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | September 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Third Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 3.2 Acre-feet
Pond bottom elevation = 6484.5
100% Sediment Storage Volume = 0.42 acre-feet at Elevation 6486.2
60% sediment Storage Volume = 0.25 acre feet at Elevation = 6485.5
Existing Sediment Elevation = 6485.1 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6486.6
Emergency Spillway Elevation = 6490.6

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

**Pasture Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure were observed.
A small amount of water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 10/16/09

## CERTIFIED REPORT IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

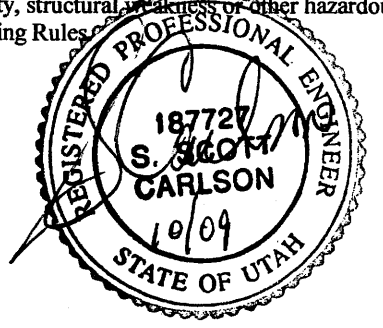
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coarse Refuse Toe Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | October 7, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | New Coarse Refuse Toe Sediment Pond |
| Impoundment Number | 012 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | September 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Third Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.6 Acre-feet
Pond bottom elevation = 6176.0
100% Sediment Storage Volume = 0.07 acre-feet at Elevation 6177.8
60% sediment Storage Volume = 0.03 acre feet at Elevation = 6177.0
Existing Sediment Elevation = 6176.5 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6178.2
Emergency Spillway Elevation = 6183.63

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting
Sediment level was good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coarse Refuse Toe Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
Some water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 10/16/09

## CERTIFIED REPORT IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

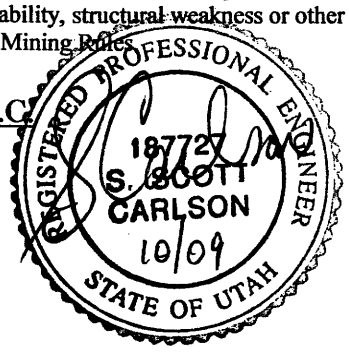
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**GENERAL INFORMATION** **Coal Pile Sediment Pond**

| | |
|---|---|
| Report Date | October 7, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | Coal Pile Sediment Pond |
| Impoundment Number | 014 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | September 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Third Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.5 Acre-feet
Pond bottom elevation = 6473.0
100% Sediment Storage Volume = 0.5 acre-feet at Elevation 6476.0
60% sediment Storage Volume = 0.3 acre feet at Elevation = 6474.7
Existing Sediment Elevation = 6473.9 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6476.0
Secondary Dewatering Orifice = 6477.2
Primary Spillway Elevation = 6477.9
Emergency Spillway Elevation = 6479.0

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coal Pile Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
A small amount of water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 10/16/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

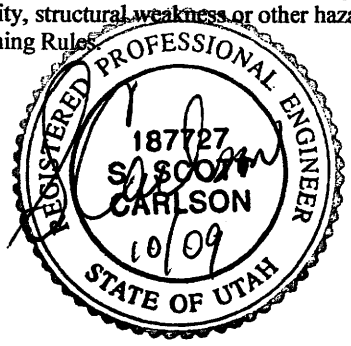
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Borrow Area Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | October 7, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Borrow Area Sediment Pond |
| Impoundment Number | 016 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | September 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Third Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 8.3 Acre-feet
Pond bottom elevation = 6510.0
100% Sediment Storage Volume = 2.3 acre-feet at Elevation 6514.3
60% sediment Storage Volume = 1.4 acre feet at Elevation = 6513.3
Existing Sediment Elevation = 6511 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6514.3
Emergency Spillway Elevation = 6517.03

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken
Sediment level was good. Pond did not require decanting.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Borrow Area Sediment Pond**

## 3. Field Evaluation.

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 10/16/09

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

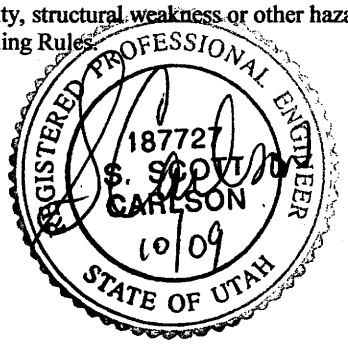
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Coarse Refuse Pile**

Report Date October 7, 2009
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Coarse Refuse Pile
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-01

Inspection Date September 17, 2009
Inspected by Rusty Netz
Reason for Inspection Third Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

N/A - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Coarse Refuse Pile**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Refuse material is actively being excavated and removed from various locations across the top of the pile

The East Slurry Cell has been decommissioned and the coal refuse material stored therein has been incorporated as part of the Coarse Refuse Pile.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 10/16/09

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH


Affix Signature, Stamp and Date

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Excess Spoil Disposal Area #1**

Report Date October 7, 2009
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Excess Spoil Disposal Area #1
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-04

Inspection Date September 17, 2009
Inspected by Rusty Netz
Reason for Inspection Third Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

No new material was placed during the quarter.

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Excess Spoil Disposal Area #1**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Construction of the fill has been proceeding in shallow lifts in general conformance with the approved plan.

## QUALIFICATION STATEMENT:

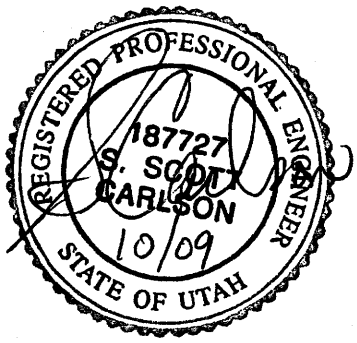
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 10/14/09

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Excess Spoil Disposal Area #2**

| | |
|---|---|
| Report Date | October 7, 2009 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

| | |
|---|---|
| Pile Name | Excess Spoil Disposal Area #2 |
| Pile Number | N/A |
| MSHA ID Number | 1211-UT-09-02093-05 |

| | |
|---|---|
| Inspection Date | September 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Third Quarter Inspection 2009 |

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

   Existing disturbed site. No additional topsoil removal is required by the approved plan

2. Placement of underdrains and protective filter systems.

   No under-drains or filters area required by the approved plan

3. Installation of final surface drainage systems

   N/A

4. Placement and compaction of fill materials

   Approximately **17,640 tons** of material were placed in this disposal area during the quarter.

5. Final grading and revegetation of fill.

   N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

   No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Excess Spoil Disposal Area #2**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Both Slurry Ponds 1 & 2 have now been filled. The Clear Water Pond has been included within this Disposal Area. SCA has completed an enlargement of the Pasture Pond and has decommissioned the Clear Water Pond and incorporated the area within this Disposal Area. They can also continue filling the disposal area to the height approved.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

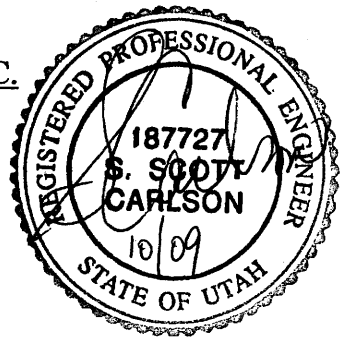
Signature: Rusty Net Date: 10/16/09

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



# APPENDIX A
# CERTIFIED REPORTS

## FOURTH QUARTER INSPECTION

## IMPOUNDMENTS, REFUSE PILE AND DISPOSAL AREAS

**Sunnyside Cogeneration Associates**

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

January 15, 2010

Daron Haddock
Utah Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

RE: Fourth Quarter 2009 Inspection Report
Sunnyside Refuse Pile C/007/035

Dear Daron:

Please find enclosed a copy of the Fourth Quarter 2009 Inspection Report for Sunnyside Cogeneration Associates' impoundments, refuse pile and excess spoil areas.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

Thank You,

Richard Carter
Agent For
Sunnyside Cogeneration Associates

c.c. Steve Gross
William Rossiter
Paul Shepard
Maggie Estrada
Rusty Netz
Plant File

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**GENERAL INFORMATION** **Railcut Sediment Pond**

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | RailCut Sediment Pond |
| Impoundment Number | 007 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Fourth Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 4.8 Acre-feet
Pond bottom elevation = 6206.0
100% Sediment Storage Volume = 0.34 acre-feet at Elevation 6209
60% sediment Storage Volume = 0.2 acre feet at Elevation = 6207.7
Existing Sediment Elevation = 6207.2 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6209.07
Emergency Spillway Elevation = 6212.34

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting
Sediment levels were good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Rail Cut Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
Some water was impounded
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty not Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

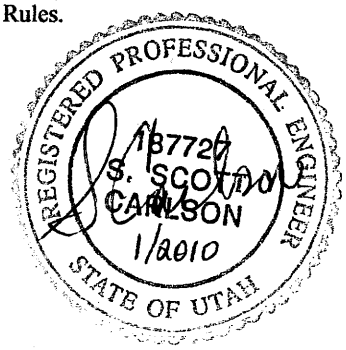
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Old Coarse Refuse Road Sediment Pond**

**GENERAL INFORMATION**

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | Old Coarse Refuse Road Sediment Pond |
| Impoundment Number | 008 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Fourth Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 0.9 Acre-feet
Pond bottom elevation = 6394.0
100% Sediment Storage Volume = 0.08 acre-feet at Elevation 6395.1
60% sediment Storage Volume = 0.05 acre feet at Elevation = 6394.75
Existing Sediment Elevation = 6394.4 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6395.75
Emergency Spillway Elevation = 6399.4

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Old Coarse Refuse Road Sediment Pond**

## 3. Field Evaluation.

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
Some water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

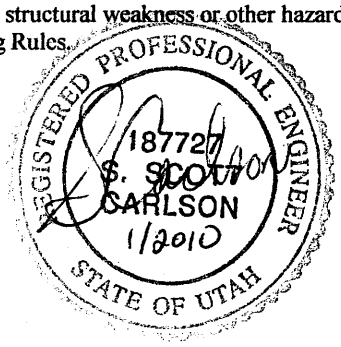
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Pasture Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Pasture Sediment Pond |
| Impoundment Number | 009 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Fourth Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 3.2 Acre-feet
Pond bottom elevation = 6484.5
100% Sediment Storage Volume = 0.42 acre-feet at Elevation 6486.2
60% sediment Storage Volume = 0.25 acre feet at Elevation = 6485.5
Existing Sediment Elevation = 6485.1 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6486.6
Emergency Spillway Elevation = 6490.6

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Pasture Sediment Pond**

## 3. Field Evaluation.

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure were observed.
A small amount of water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

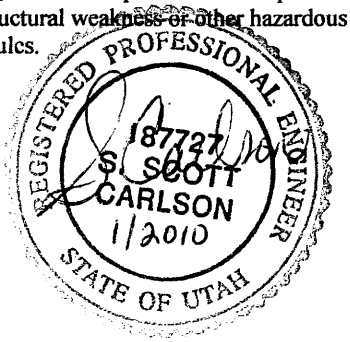
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coarse Refuse Toe Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | New Coarse Refuse Toe Sediment Pond |
| Impoundment Number | 012 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Fourth Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.6 Acre-feet
Pond bottom elevation = 6176.0
100% Sediment Storage Volume = 0.07 acre-feet at Elevation 6177.8
60% sediment Storage Volume = 0.03 acre feet at Elevation = 6177.0
Existing Sediment Elevation = 6176.6 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6178.2
Emergency Spillway Elevation = 6183.63

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting
Sediment level was good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coarse Refuse Toe Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
Some water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Nut Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

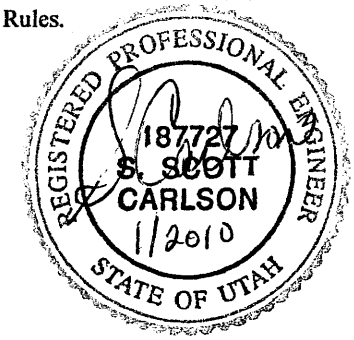
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**GENERAL INFORMATION** **Coal Pile Sediment Pond**

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | Coal Pile Sediment Pond |
| Impoundment Number | 014 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Fourth Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.5 Acre-feet
Pond bottom elevation = 6473.0
100% Sediment Storage Volume = 0.5 acre-feet at Elevation 6476.0
60% sediment Storage Volume = 0.3 acre feet at Elevation = 6474.7
Existing Sediment Elevation = 6474 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6476.0
Secondary Dewatering Orifice = 6477.2
Primary Spillway Elevation = 6477.9
Emergency Spillway Elevation = 6479.0

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coal Pile Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
A small amount of water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Daly Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

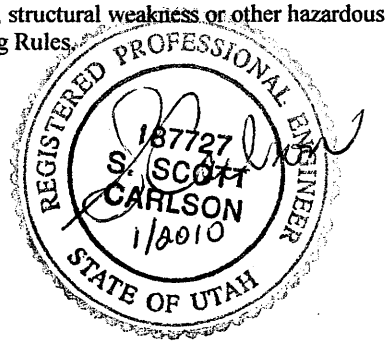
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Borrow Area Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Borrow Area Sediment Pond |
| Impoundment Number | 016 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Fourth Quarter Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 8.3 Acre-feet
Pond bottom elevation = 6510.0
100% Sediment Storage Volume = 2.3 acre-feet at Elevation 6514.3
60% sediment Storage Volume = 1.4 acre feet at Elevation = 6513.3
Existing Sediment Elevation = 6511 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6514.3
Emergency Spillway Elevation = 6517.03

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken
Sediment level was good. Pond did not require decanting.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Borrow Area Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

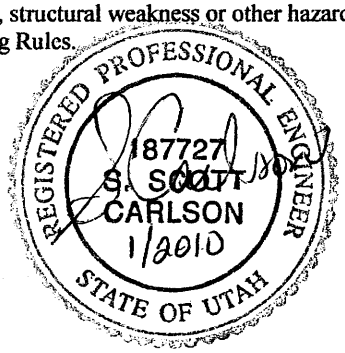
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Coarse Refuse Pile**

Report Date January 12, 2010
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Coarse Refuse Pile
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-01

Inspection Date December 17, 2009
Inspected by Rusty Netz
Reason for Inspection Fourth Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

N/A - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Coarse Refuse Pile**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Refuse material is actively being excavated and removed from various locations across the top of the pile

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

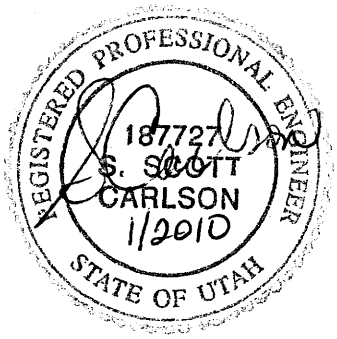
Signature: Rusty Net Date: 1/15/10

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Excess Spoil Disposal Area #1**

Report Date January 12, 2010
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Excess Spoil Disposal Area #1
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-04

Inspection Date December 17, 2009
Inspected by Rusty Netz
Reason for Inspection Fourth Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

No new material was placed during the quarter.

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Excess Spoil Disposal Area #1**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Construction of the fill has been proceeding in shallow lifts in general conformance with the approved plan.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

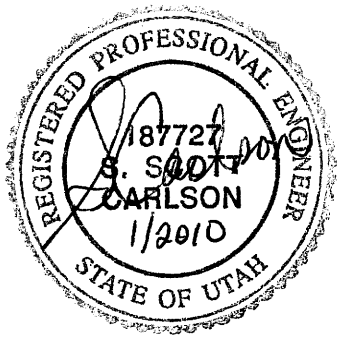
Signature: Rusty Netz Date: 1/15/10

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Excess Spoil Disposal Area #2**

Report Date January 12, 2010
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Excess Spoil Disposal Area #2
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-05

Inspection Date December 17, 2009
Inspected by Rusty Netz
Reason for Inspection Fourth Quarter Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

   Existing disturbed site. No additional topsoil removal is required by the approved plan

2. Placement of underdrains and protective filter systems.

   No under-drains or filters area required by the approved plan

3. Installation of final surface drainage systems

   N/A

4. Placement and compaction of fill materials

   Approximately **16,275 tons** of material were placed in this disposal area during the quarter.

5. Final grading and revegetation of fill.

   N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

   No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Excess Spoil Disposal Area #2**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Construction of the fill has been proceeding in shallow lifts in general conformance with the approved plan.

## QUALIFICATION STATEMENT:

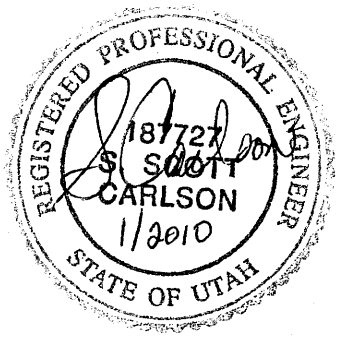
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Nety Date: 1/15/10

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# APPENDIX A
# CERTIFIED REPORTS

## ANNUAL INSPECTION

## IMPOUNDMENTS, REFUSE PILE AND DISPOSAL AREAS

**Sunnyside Cogeneration Associates**

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

January 15, 2010

Daron Haddock
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

RE: Annual 2009 Inspection Report
Sunnyside Refuse and Slurry C/007/035

Dear Mr. Haddock:

Please find enclosed a copy of the Annual 2009 Inspection Report for the Sunnyside refuse pile, impoundments, and excess spoil areas.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

Thank You,

Richard Carter
Agent For
Sunnyside Cogeneration Associates

c.c. Steve Gross
William Rossiter
Paul Shepard
Maggie Estrada
Rusty Netz
Plant File

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**GENERAL INFORMATION** **Railcut Sediment Pond**

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | RailCut Sediment Pond |
| Impoundment Number | 007 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Annual Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 4.8 Acre-feet
Pond bottom elevation = 6206.0
100% Sediment Storage Volume = 0.34 acre-feet at Elevation 6209
60% sediment Storage Volume = 0.2 acre feet at Elevation = 6207.7
Existing Sediment Elevation = 6207.2 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6209.07
Emergency Spillway Elevation = 6212.34

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting
Sediment levels were good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

**Rail Cut Sediment Pond**

## 3. Field Evaluation.

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
Some water was impounded
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

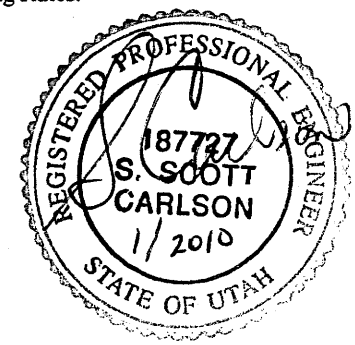
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Old Coarse Refuse Road Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Old Coarse Refuse Road Sediment Pond |
| Impoundment Number | 008 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Annual Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 0.9 Acre-feet
Pond bottom elevation = 6394.0
100% Sediment Storage Volume = 0.08 acre-feet at Elevation 6395.1
60% sediment Storage Volume = 0.05 acre feet at Elevation = 6394.75
Existing Sediment Elevation = 6394.4 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6395.75
Emergency Spillway Elevation = 6399.4

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Old Coarse Refuse Road Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
Some water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Ady Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

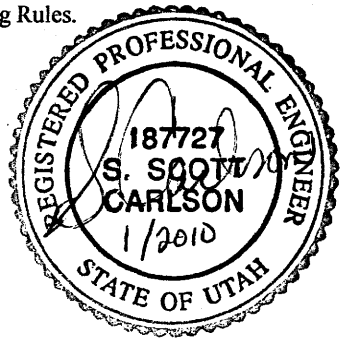
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Pasture Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Pasture Sediment Pond |
| Impoundment Number | 009 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Annual Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 3.2 Acre-feet
Pond bottom elevation = 6484.5
100% Sediment Storage Volume = 0.42 acre-feet at Elevation 6486.2
60% sediment Storage Volume = 0.25 acre feet at Elevation = 6485.5
Existing Sediment Elevation = 6485.1 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6486.6
Emergency Spillway Elevation = 6490.6

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

**Pasture Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure were observed.
A small amount of water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty nj Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

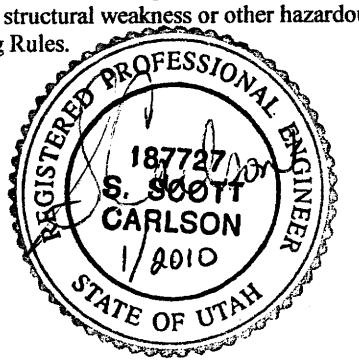
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coarse Refuse Toe Sediment Pond**

**GENERAL INFORMATION**

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | New Coarse Refuse Toe Sediment Pond |
| Impoundment Number | 012 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Annual Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.6 Acre-feet
Pond bottom elevation = 6176.0
100% Sediment Storage Volume = 0.07 acre-feet at Elevation 6177.8
60% sediment Storage Volume = 0.03 acre feet at Elevation = 6177.0
Existing Sediment Elevation = 6176.6 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6178.2
Emergency Spillway Elevation = 6183.63

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting
Sediment level was good
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

**Coarse Refuse Toe Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
Some water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Nelson Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

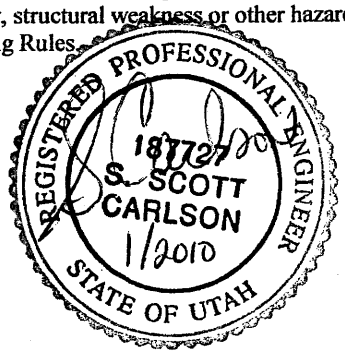
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**GENERAL INFORMATION** **Coal Pile Sediment Pond**

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

**IMPOUNDMENT IDENTIFICATION**

| | |
|---|---|
| Impoundment Name | Coal Pile Sediment Pond |
| Impoundment Number | 014 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

**IMPOUNDMENT INSPECTION**

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Annual Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.5 Acre-feet
Pond bottom elevation = 6473.0
100% Sediment Storage Volume = 0.5 acre-feet at Elevation 6476.0
60% sediment Storage Volume = 0.3 acre feet at Elevation = 6474.7
Existing Sediment Elevation = 6474 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6476.0
Secondary Dewatering Orifice = 6477.2
Primary Spillway Elevation = 6477.9
Emergency Spillway Elevation = 6479.0

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had some water in it. No samples were taken Pond did not require decanting.
Sediment level was good.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Coal Pile Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
A small amount of water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Nay Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

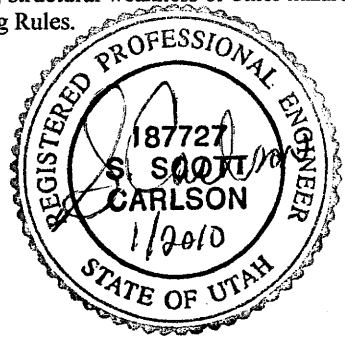
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Borrow Area Sediment Pond**

## GENERAL INFORMATION

| | |
|---|---|
| Report Date | January 12, 2010 |
| Permit Number | C/007/035 |
| Mine Name | Sunnyside Refuse and Slurry |
| Company Name | Sunnyside Cogeneration Associates |

## IMPOUNDMENT IDENTIFICATION

| | |
|---|---|
| Impoundment Name | Borrow Area Sediment Pond |
| Impoundment Number | 016 |
| UPDES Permit Number | UT024759 |
| MSHA ID Number | N/A |

## IMPOUNDMENT INSPECTION

| | |
|---|---|
| Inspection Date | December 17, 2009 |
| Inspected by | Rusty Netz |
| Reason for Inspection | Annual Inspection 2009 |

**1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 8.3 Acre-feet
Pond bottom elevation = 6510.0
100% Sediment Storage Volume = 2.3 acre-feet at Elevation 6514.3
60% sediment Storage Volume = 1.4 acre feet at Elevation = 6513.3
Existing Sediment Elevation = 6511 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6514.3
Emergency Spillway Elevation = 6517.03

**2. Field Information**

*Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.*

Pond had no water in it. No samples were taken
Sediment level was good. Pond did not require decanting.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

**Borrow Area Sediment Pond**

## 3. Field Evaluation.

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period*

No recent changes in the geometry of the structure have been observed
No water was impounded
Sediment level was good.
No other aspects of the impounding structure were observed that could affect its stability or functionality.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Ruty Date: 1/15/10

## CERTIFIED REPORT
## IMPOUNDMENT EVALUATION

*If you answer NO to these questions, please explain under comments*

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

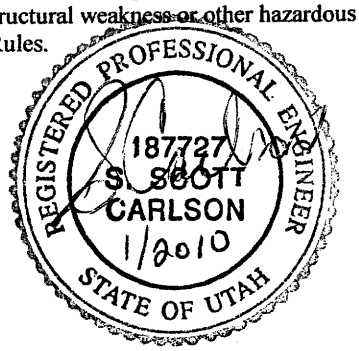
## COMMENTS/ OTHER INFORMATION

None

## CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH




Affix Signature, Stamp and Date

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Coarse Refuse Pile**

Report Date January 12, 2010
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Coarse Refuse Pile
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-01

Inspection Date December 17, 2009
Inspected by Rusty Netz
Reason for Inspection Annual Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

N/A - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

## INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Coarse Refuse Pile**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Refuse material is actively being excavated and removed from various locations across the top of the pile

### QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

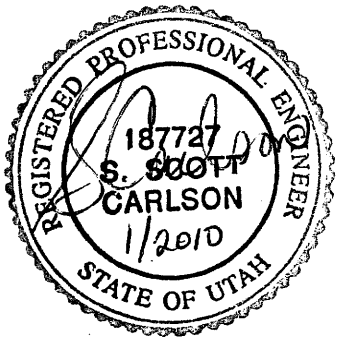
Signature: Rusty Nil Date: 1/15/10

### CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Excess Spoil Disposal Area #1**

Report Date January 12, 2010
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Excess Spoil Disposal Area #1
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-04

Inspection Date December 17, 2009
Inspected by Rusty Netz
Reason for Inspection Annual Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

No new material was placed during the year.

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Excess Spoil Disposal Area #1**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Construction of the fill has been proceeding in shallow lifts in general conformance with the approved plan.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

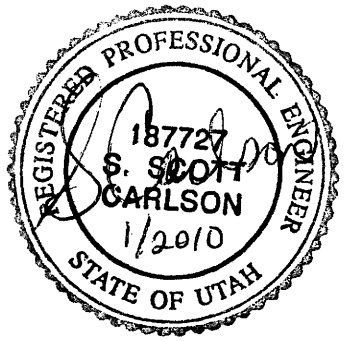
Signature: Rusty Net Date: 1/15/10

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**GENERAL INFORMATION** **Excess Spoil Disposal Area #2**

Report Date January 12, 2010
Permit Number C/007/035
Mine Name Sunnyside Refuse and Slurry
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Excess Spoil Disposal Area #2
Pile Number N/A
MSHA ID Number 1211-UT-09-02093-05

Inspection Date December 17, 2009
Inspected by Rusty Netz
Reason for Inspection Annual Inspection 2009

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

Existing disturbed site. No additional topsoil removal is required by the approved plan

2. Placement of underdrains and protective filter systems.

No under-drains or filters area required by the approved plan

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

Approximately **65,564 tons** (11,519 Q1; 20,130 Q2; 17,640 Q3; 16,275 Q4) of material were placed in this disposal area during the year.

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions

No aspects of the Fill structure were observed that could affect its stability or functionality

# INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE

**Excess Spoil Disposal Area #2**

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Construction of the fill has been proceeding in shallow lifts in general conformance with the approved plan.

## QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Net Date: 1/15/10

## CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH


Affix Signature, Stamp and Date

# APPENDIX B-1
# CLIMATOLOGICAL DATA

# SUNNYSIDE WEATHER STATION
# 2009 CLIMATOLOGICAL REPORT

| | January | | | February | | | March | | | April | | | May | | | June | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| day | max temp | min temp | precip | max temp | min temp | precip | max temp | min temp | precip | max temp | min temp | precip | max temp | min temp | precip | max temp | min temp | precip |
| 1 | 37 | 23 | | 47 | 28 | | 53 | 34 | | 47 | 28 | t | 71 | 49 | | 75 | 53 | 0.07 |
| 2 | 37 | 26 | | 48 | 26 | | 58 | 35 | | 51 | 29 | 0.1 | 61 | 46 | 0.55 | 72 | 52 | |
| 3 | 39 | 25 | | 49 | 31 | | 60 | 47 | | 51 | 34 | | 61 | 42 | | 76 | 49 | 0.05 |
| 4 | 31 | 16 | | 50 | 32 | | 65 | 47 | | 40 | 30 | | 63 | 45 | | 77 | 52 | |
| 5 | 29 | 14 | | 50 | 33 | | 61 | 33 | | 46 | 26 | 0.5 | 62 | 45 | | 77 | 58 | |
| 6 | 34 | 18 | | 48 | 34 | | 46 | 34 | | 52 | 29 | | | | | 73 | 44 | |
| 7 | 46 | 23 | | 46 | 35 | 0.12 | 44 | 30 | | 58 | 33 | | 74.2 | | | 70 | 44 | |
| 8 | 46 | 30 | | 50 | 35 | 0.1 | 46 | 26 | | 59 | 40 | | 72 | 44 | | 71 | 50 | 0.04 |
| 9 | 43 | 27 | | 41 | 29 | | 49 | 34 | | 52 | 37 | | 66 | 41 | | 69 | 51 | 0.07 |
| 10 | 41 | 21 | | 39 | 22 | | 44 | 21 | | 58 | 41 | | 68 | 52 | | 66 | 45 | 0.03 |
| 11 | 42 | 27 | | 39 | 22 | | 48 | 26 | | 57 | 36 | 0.3 | 76 | 46 | | 66 | 47 | |
| 12 | 45 | 30 | | 39 | 28 | | 54 | 32 | | 60 | 37 | 0.08 | 77 | 45 | | 71 | 44 | |
| 13 | 45 | 27 | | 38 | 21 | | 55 | 35 | | 60 | 37 | | 75 | 50 | | 72 | 56 | 0.03 |
| 14 | 42 | 29 | | 37 | 29 | 0.06 | 55 | 31 | | 61 | 44 | | 71 | 44 | | 74 | 49 | |
| 15 | 45 | 29 | | 39 | 21 | | 56 | 34 | | 56 | 36 | 0.37 | 72 | 47 | | 72 | 48 | |
| 16 | 45 | 30 | | 43 | 27 | | 60 | 36 | | 41 | 28 | | 76 | 50 | | 73 | 55 | 0.1 |
| 17 | 47 | 29 | | 44 | 30 | 0.18 | 63 | 39 | | 46 | 36 | | 79 | 52 | | 70 | 50 | 0.06 |
| 18 | 47 | 33 | | 41 | 23 | | 64 | 46 | | 57 | 40 | | 85 | 55 | | 68 | 48 | |
| 19 | 53 | 35 | | 43 | 22 | | 65 | 41 | | 64 | 39 | | 86 | 60 | | 74 | 44 | |
| 20 | 54 | 35 | | 45 | 27 | | 68 | 43 | | 70 | 41 | | 78 | 50 | | 75 | 53 | 0.63 |
| 21 | 51 | 33 | | 49 | 29 | | 68 | 42 | | 71 | 45 | | 79 | 56 | | 68 | 47 | 0.08 |
| 22 | 48 | 34 | | 50 | 32 | | 64 | 43 | | 73 | 46 | | 75 | 52 | | 78 | 47 | |
| 23 | 48 | 36 | | 48 | 38 | 0.10 | 48 | 33 | | 74 | 46 | | 62 | 50 | | 85 | 56 | |
| 24 | 47 | 36 | | 52 | 37 | t | 48 | 29 | | 73 | 59 | | 65 | 50 | 0.75 | 88 | 60 | |
| 25 | 47 | 36 | 0.4 | 55 | 36 | | 47 | 32 | | 67 | 44 | 0.67 | 64 | 46 | 1.44 | 88 | 62 | |
| 26 | 43 | 30 | | 55 | 34 | | 48 | 29 | t | 48 | 32 | 0.06 | 67 | 46 | 0.1 | 86 | 55 | 0.44 |
| 27 | 33 | 14 | 0.3 | 55 | 32 | | 47 | 23 | | 52 | 29 | | 70 | 46 | | 50 | 51 | |
| 28 | 35 | 21 | | 53 | 34 | | 55 | 28 | | 66 | 42 | | 74 | 50 | 0.37 | 85 | 57 | |
| 29 | 40 | 21 | | | | | 57 | 37 | | 67 | 42 | | 75 | 49 | | 87 | 57 | |
| 30 | 42 | 26 | | | | | 40 | 25 | | 72 | 46 | | 76 | 50 | | 90 | 60 | |
| 31 | 44 | 28 | | | | | 48 | 27 | | | | | 76 | 51 | 0.1 | | | |
| **Total** | 1326 | 842 | 0.7 | 1293 | 827 | 0.56 | 1684 | 1052 | 0.00 | 1749 | 1132 | 2.08 | 2156.2 | 1409 | 3.31 | 2246 | 1544 | 1.6 |
| **AVG** | 42.77 | 27.16 | | 46.18 | 29.54 | | 54.32 | 33.94 | | 58.30 | 37.73 | | 71.87 | 48.59 | | 74.87 | 51.47 | |
| **AVG DAILY** | 34.97 | | | 37.86 | | | 44.13 | | | 48.02 | | | 60.23 | | | 63.17 | | |

temperature in °F
precipitation in inches

# SUNNYSIDE WEATHER STATION
# 2009 CLIMATOLOGICAL REPORT

| | July | | | August | | | September | | | October | | | November | | | December | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| day | max temp | min temp | precip | max temp | min temp | precip | max temp | min temp | precip | max temp | min temp | precip | max temp | min temp | precip | max temp | min temp | precip |
| 1 | 90 | 65 | | 88 | 59 | | 86 | 58 | | 52 | 30 | | 56 | 35 | | 51 | 32 | |
| 2 | 87 | 65 | t | 92 | 61 | | 88 | 62 | | 59 | 35 | | 61 | 40 | | 51 | 32 | |
| 3 | 82 | 56 | | 91 | 65 | | 88 | 59 | | 59 | 40 | | 61 | 41 | | 40 | 28 | |
| 4 | 82 | 60 | 0.28 | 92 | 61 | | 87 | 59 | | 62 | 48 | | 62 | 40 | | 35 | 15 | |
| 5 | 85 | 57 | | 91 | 64 | | 88 | 59 | | 61 | 37 | | 63 | 41 | | 35 | 19 | |
| 6 | 87 | 58 | | 88 | 61 | t | 79 | 55 | | 55 | 32 | | 64 | 42 | | 36 | 22 | |
| 7 | 89 | 57 | | 85 | 54 | | 82 | 55 | | 62 | 37 | | 64 | 41 | | 29 | 19 | 0.6 |
| 8 | 89 | 56 | | 80 | 50 | | 83 | 57 | | 61 | 39 | | 63 | 38 | | 30 | 24 | 0.3 |
| 9 | 89 | 59 | | 76 | 48 | | 86 | 58 | | 60 | 36 | | 58 | 38 | | 25 | 11 | |
| 10 | 89 | 58 | | 83 | 54 | | 86 | 62 | | 62 | 42 | | 58 | 38 | | 26 | 13 | |
| 11 | 89 | 65 | | 87 | 59 | | 86 | 58 | | 62 | | | 59 | 42 | | 27 | 15 | |
| 12 | 88 | 60 | | 89 | 61 | | 86 | 57 | | 62 | | t | 58 | 49 | | 26 | 20 | |
| 13 | 91 | 61 | | 86 | 60 | | 83 | 57 | | 63 | 46 | | 56 | 36 | | 34 | 25 | 1.8 |
| 14 | 91 | 56 | | 81 | 55 | 0.35 | 75 | 52 | 0.9 | 61 | 48 | 0.53 | 46 | 30 | t | 36 | 25 | |
| 15 | 90 | 59 | | 80 | 56 | | 75 | 48 | 0.3 | 65 | 45 | 0.12 | 42 | 24 | | 37 | 23 | |
| 16 | 91 | 64 | | 77 | 48 | | 73 | 49 | | 66 | 42 | | 43 | 26 | | 38 | 26 | |
| 17 | 93 | 66 | | 79 | 52 | | 74 | 51 | | 68 | 45 | | 47 | 29 | | 42 | 26 | |
| 18 | 95 | 69 | | 80 | 55 | | 75 | 52 | | 70 | 46 | | 48 | 29 | | 41 | 28 | |
| 19 | 92 | 65 | | 85 | 55 | | 76 | 52 | | 71 | 49 | | 52 | 32 | | 41 | 23 | |
| 20 | 91 | 62 | | 88 | 62 | | 75 | 55 | | 71 | 49 | | 52 | 32 | | 37 | 24 | |
| 21 | 92 | 62 | | 91 | 62 | | 76 | 46 | | 58 | 41 | | 48 | 33 | | 36 | 24 | |
| 22 | 93 | 64 | | 92 | 63 | | 66 | 40 | | 61 | 39 | | 44 | 27 | t | 36 | 26 | 0.3 |
| 23 | 95 | 63 | | 92 | 60 | | 69 | 47 | | 62 | 39 | | 44 | 24 | | 41 | 29 | |
| 24 | 95 | 69 | | 79 | 55 | 0.25 | 74 | 48 | | 61 | 41 | | 41 | 25 | | 40 | 16 | |
| 25 | 88 | 65 | | 79 | 56 | | 79 | 49 | | 57 | 34 | | 50 | 30 | | 32 | 18 | |
| 26 | 87 | 66 | | 88 | 54 | | 81 | 53 | | 52 | 31 | | 53 | 35 | | 31 | 18 | |
| 27 | 89 | 59 | 0.12 | 88 | 59 | | 83 | 54 | | 50 | 36 | | 53 | 30 | | 33 | 20 | |
| 28 | 89 | 62 | | 89 | 61 | | 84 | 57 | | 42 | 29 | | 48 | 35 | | 33 | 19 | |
| 29 | 90 | 60 | | 90 | 62 | | 81 | 53 | | 38 | 28 | | 53 | 37 | | 32 | 22 | |
| 30 | 88 | 58 | | 91 | 64 | | 79 | 46 | | 50 | 28 | | 53 | 33 | | 29 | 20 | 0.12 |
| 31 | 85 | 61 | | 89 | 58 | | | | | 53 | 32 | | | | | 33 | 19 | |
| Total | 2771 | 1907 | 0.4 | 2666 | 1794 | 0.6 | 2403 | 1608 | 1.20 | 1836 | 1124 | 0.65 | 1600 | 1032 | 0 | 1093 | 681 | 3.12 |
| AVG | 89.39 | 61.52 | | 86.00 | 57.87 | | 80.10 | 53.60 | | 59.23 | 38.76 | | 53.33 | 34.40 | | 35.26 | 21.97 | |
| AVG DAILY | 75.45 | | | 71.94 | | | 66.85 | | | 48.99 | | | 43.87 | | | 28.61 | | |

| | |
|---|---|
| **AVERAGE HIGH TEMPERATURE** | 62.63 |
| **AVERAGE LOW TEMPERATURE** | 41.38 |
| **TOTAL PRECIPITATION FOR 2009** | 14.22 |
| **AVERAGE MONTHLY PRECIPITATION** | 1.19 |

# APPENDIX B-2
# WATER MONITORING

# APPENDIX B-2
# WATER MONITORING

# FIRST QUARTER

**Sunnyside Cogeneration Associates**

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

April 21, 2009

Darron Haddock
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

Subject: Quarterly Sampling Report
Monitoring Period: January, February, March 2009
DOGM Operational Water Monitoring

Dear Darron:

This letter is to confirm that the quarterly baseline water sampling data and the UPDES DMR data, have been submitted to the DOGM EDI web site. The data is correct and ready to be processed.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

Thank You,

Michael J. Blakey
Agent For
Sunnyside Cogeneration Associates

c.c. Steve Gross
William Rossiter
Maggie Estrada
Paul Shepard
Rusty Netz
Plant File

**Sunnyside Cogeneration Facility**
Sunnyside, Utah

## Field Parameter Data

DOGM Permit Boundry Water Quality Monitoring Plan
Monitoring Period: First Quarter 2009
Samples taken March 17, 2009

| Monitoring Location | Location I.D. | Temp. ( C) | pH (su) | SC (umhos) | Dissolved Oxygen (mg/l) | Flow Rate (gpm) | Flow method |
|---|---|---|---|---|---|---|---|
| Icelander Creek | ICE-1 | NA | NA | NA | NA | NA | NA |
| Columbia Dugway Spring | F-2 | 4.1 | 8.56 | 1509 | 11 | 20 | 2 |
| Coarse Refuse Seep Source | CRS | NA | NA | NA | NA | NA | NA |
| Coarse Refuse Seep Boundary | CRB | 5.8 | 8.24 | 6730 | 6.7 | 45 | 2 |
| Dragerton Well | Well-1 | 11.8 | 7.84 | 1200 | 8.9 | 260 | 4 |
| Borehole B-6 | B-6 | NW | NW | NW | NW | NW | NW |

Notes:
na - no flow
NW- no water present
NW/F- no water present frozen
nd - data is not available due to lack of discharge
1- Flow rates were measured using a weir.
2 - Flow rates were measured using a calibrated container and stopwatch method.
3 - Flow rates were measured using the floating debris method.
4 - Flow rates were measured using a meter

# Analysis Report

April 06, 2009

APR - 9 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | CRB | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Mar 17, 2009 | Sample Taken At: | CRB |
| Date Received: | Mar 18, 2009 | Sample Taken By: | Richard Safley |
| Product Description: | WATER | Time Sampled: | 0900 |
| | | Time Received: | 1010 |
| | | Mine: | 27 |
| | | Site: | 9 |
| | | Field - pH: | 8.2 |
| | | Field - Dis. Oxygen: | 6.7 MG/L |
| | | Field - Flow: | 45 GPM |
| | | Field - Conductivity: | 6730 UMHOS/CM |
| | | Field - Temperature: | 5.8 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired When Received

**SGS Minerals Sample ID: 782-0901004-001**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 3318 | mg/L | SM2340-B | 1.000 | 03/30/2009 | 15:41 | SJ |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 03/20/2009 | 09:30 | CM |
| Sulfate, SO4 | 4212 | mg/L | EPA 300.0 | 1.000 | 03/26/2009 | 23:11 | CM |
| Anions | 99.60 | meq/L | SM1030 | 0.000 | 03/30/2009 | 15:40 | SJ |
| Cations | 109.60 | meq/L | SM1030 | 0.000 | 03/30/2009 | 15:40 | SJ |
| Balance | 4.80 | % | SM1030 | -10.000 | 03/30/2009 | 15:40 | SJ |
| pH | 8.04 | s. u. | SM4500-H | 0.010 | 03/18/2009 | 11:15 | CM |
| pH Temperature | 14.70 | °C | SM4500-H | 0.010 | 03/18/2009 | 11:15 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 03/18/2009 | 14:30 | CM |
| Total Dissolved Solids | 7022 | mg/L | SM2540-C | 30.000 | 03/19/2009 | 11:45 | GK |
| Total Suspended Solids | <5 | mg/L | SM2540-D | 5.000 | 03/19/2009 | 11:45 | GK |
| Chloride, Cl | 160 | mg/L | EPA 300.0 | 1.000 | 03/26/2009 | 23:11 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 368 | mg/L | SM2320-B | 5.000 | 03/18/2009 | 14:20 | AL |
| Carbonate Alkalinity as CaCO3 | <5 | mg/L | SM2320-B | 5.000 | 03/18/2009 | 14:20 | AL |
| Bicarbonate Alkalinity as CaCO3 | 368 | mg/L | SM2320-B | 5.000 | 03/18/2009 | 14:20 | AL |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

# Analysis Report

April 06, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



APR - 9 2009

| | | | |
|---|---|---|---|
| Client Sample ID: | CRB | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Mar 17, 2009 | Sample Taken At: | CRB |
| Date Received: | Mar 18, 2009 | Sample Taken By: | Richard Safley |
| Product Description: | WATER | Time Sampled: | 0900 |
| | | Time Received: | 1010 |
| | | Mine: | 27 |
| | | Site: | 9 |
| | | Field - pH: | 8.2 |
| | | Field - Dis. Oxygen: | 6.7 MG/L |
| | | Field - Flow: | 45 GPM |
| | | Field - Conductivity: | 6730 UMHOS/CM |
| | | Field - Temperature: | 5.8 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired When Received

**SGS Minerals Sample ID: 782-0901004-001**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Calcium, Ca - Dissolved | 501.05 | mg/L | EPA 200.7 | 0.030 | 03/26/2009 | 17:22 | CM |
| Iron, Fe - Total | <0.05 | mg/L | EPA 200.7 | 0.050 | 03/24/2009 | 18:44 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 03/19/2009 | 17:39 | CM |
| Magnesium, Mg - Dissolved | 501.91 | mg/L | EPA 200.7 | 0.010 | 03/26/2009 | 17:22 | CM |
| Manganese, Mn - Total | 0.014 | mg/L | EPA 200.7 | 0.002 | 03/24/2009 | 18:44 | CM |
| Manganese, Mn - Dissolved | 0.013 | mg/L | EPA 200.7 | 0.002 | 03/19/2009 | 17:39 | CM |
| Potassium, K - Dissolved | 45.55 | mg/L | EPA 200.7 | 0.140 | 03/19/2009 | 17:39 | CM |
| Sodium, Na - Dissolved | 969.06 | mg/L | EPA 200.7 | 0.090 | 03/26/2009 | 17:22 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

# Analysis Report

April 06, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520

APR - 9 2009



| | | | |
|---|---|---|---|
| Client Sample ID: | F2 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Mar 17, 2009 | Sample Taken At: | F2 |
| Date Received: | Mar 18, 2009 | Sample Taken By: | Richard Safley |
| Product Description: | WATER | Time Sampled: | 0945 |
| | | Time Received: | 1010 |
| | | Mine: | 27 |
| | | Site: | 11 |
| | | Field - pH: | 8.56 |
| | | Field - Dis. Oxygen: | 11 MG/L |
| | | Field - Flow: | 15-20 GPM |
| | | Field - Conductivity: | 1509 UMHOS/CM |
| | | Field - Temperature: | 4.1 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired When Received

**SGS Minerals Sample ID: 782-0901004-002**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 523 | mg/L | SM2340-B | 1.000 | 03/30/2009 | 15:41 | SJ |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 03/20/2009 | 09:30 | CM |
| Sulfate, SO4 | 406 | mg/L | EPA 300.0 | 1.000 | 03/20/2009 | 03:06 | AL |
| Anions | 18.20 | meq/L | SM1030 | 0.000 | 03/30/2009 | 15:40 | SJ |
| Cations | 18.70 | meq/L | SM1030 | 0.000 | 03/30/2009 | 15:40 | SJ |
| Balance | 1.40 | % | SM1030 | -10.000 | 03/30/2009 | 15:40 | SJ |
| pH | 8.41 | s. u. | SM4500-H | 0.010 | 03/18/2009 | 11:17 | CM |
| pH Temperature | 14.30 | °C | SM4500-H | 0.010 | 03/18/2009 | 11:17 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 03/18/2009 | 14:30 | CM |
| Total Dissolved Solids | 1070 | mg/L | SM2540-C | 30.000 | 03/19/2009 | 11:45 | GK |
| Total Suspended Solids | 5 | mg/L | SM2540-D | 5.000 | 03/19/2009 | 11:45 | GK |
| Chloride, Cl | 27 | mg/L | EPA 300.0 | 1.000 | 03/19/2009 | 23:25 | AL |
| Alkalinity, mg CaCO3/L (pH 4.5) | 449 | mg/L | SM2320-B | 5.000 | 03/18/2009 | 14:20 | AL |
| Carbonate Alkalinity as CaCO3 | 14 | mg/L | SM2320-B | 5.000 | 03/18/2009 | 14:20 | AL |
| Bicarbonate Alkalinity as CaCO3 | 435 | mg/L | SM2320-B | 5.000 | 03/18/2009 | 14:20 | AL |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

SGS

# Analysis Report

April 06, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520

APR - 9 2009



| | | | |
|---|---|---|---|
| Client Sample ID: | F2 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Mar 17, 2009 | Sample Taken At: | F2 |
| Date Received: | Mar 18, 2009 | Sample Taken By: | Richard Safley |
| Product Description: | WATER | Time Sampled: | 0945 |
| | | Time Received: | 1010 |
| | | Mine: | 27 |
| | | Site: | 11 |
| | | Field - pH: | 8.56 |
| | | Field - Dis. Oxygen: | 11 MG/L |
| | | Field - Flow: | 15-20 GPM |
| | | Field - Conductivity: | 1509 UMHOS/CM |
| | | Field - Temperature: | 4.1 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired When Received

**SGS Minerals Sample ID: 782-0901004-002**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Calcium, Ca - Dissolved | 76.85 | mg/L | EPA 200.7 | 0.030 | 03/19/2009 | 17:39 | CM |
| Iron, Fe - Total | 0.29 | mg/L | EPA 200.7 | 0.050 | 03/24/2009 | 18:44 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 03/19/2009 | 17:39 | CM |
| Magnesium, Mg - Dissolved | 90.07 | mg/L | EPA 200.7 | 0.010 | 03/19/2009 | 17:39 | CM |
| Manganese, Mn - Total | 0.014 | mg/L | EPA 200.7 | 0.002 | 03/24/2009 | 18:44 | CM |
| Manganese, Mn - Dissolved | 0.007 | mg/L | EPA 200.7 | 0.002 | 03/19/2009 | 17:39 | CM |
| Potassium, K - Dissolved | 2.94 | mg/L | EPA 200.7 | 0.140 | 03/19/2009 | 17:39 | CM |
| Sodium, Na - Dissolved | 170.27 | mg/L | EPA 200.7 | 0.090 | 03/19/2009 | 17:39 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.
Huntington Laboratory

# Analysis Report

April 06, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520

APR - 9 2009



| | | | |
|---|---|---|---|
| Client Sample ID: | Well 1 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Mar 17, 2009 | Sample Taken At: | Well 1 |
| Date Received: | Mar 18, 2009 | Sample Taken By: | Richard Safley |
| Product Description: | WATER | Time Sampled: | 1009 |
| | | Time Received: | 1010 |
| | | Mine: | 27 |
| | | Site: | 8 |
| | | Field - pH: | 7.84 |
| | | Field - Dis. Oxygen: | 8.9 MG/L |
| | | Field - Flow: | 260 GPM |
| | | Field - Conductivity: | 1200 UMHOS/CM |
| | | Field - Temperature: | 11.8 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired When Received

**SGS Minerals Sample ID: 782-0901004-003**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 443 | mg/L | SM2340-B | 1.000 | 03/30/2009 | 15:41 | SJ |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 03/20/2009 | 09:30 | CM |
| Sulfate, SO4 | 228 | mg/L | EPA 300.0 | 1.000 | 03/20/2009 | 03:25 | AL |
| Anions | 13.40 | meq/L | SM1030 | 0.000 | 03/30/2009 | 15:40 | SJ |
| Cations | 13.80 | meq/L | SM1030 | 0.000 | 03/30/2009 | 15:40 | SJ |
| Balance | 1.40 | % | SM1030 | -10.000 | 03/30/2009 | 15:40 | SJ |
| pH | 7.80 | s. u. | SM4500-H | 0.010 | 03/18/2009 | 11:19 | CM |
| pH Temperature | 14.20 | °C | SM4500-H | 0.010 | 03/18/2009 | 11:19 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 03/18/2009 | 14:30 | CM |
| Total Dissolved Solids | 755 | mg/L | SM2540-C | 30.000 | 03/19/2009 | 11:45 | GK |
| Total Suspended Solids | 8 | mg/L | SM2540-D | 5.000 | 03/19/2009 | 11:45 | GK |
| Chloride, Cl | 18 | mg/L | EPA 300.0 | 1.000 | 03/19/2009 | 23:43 | AL |
| Alkalinity, mg CaCO3/L (pH 4.5) | 408 | mg/L | SM2320-B | 5.000 | 03/18/2009 | 14:20 | AL |
| Carbonate Alkalinity as CaCO3 | <5 | mg/L | SM2320-B | 5.000 | 03/18/2009 | 14:20 | AL |
| Bicarbonate Alkalinity as CaCO3 | 408 | mg/L | SM2320-B | 5.000 | 03/18/2009 | 14:20 | AL |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

SGS

# Analysis Report

April 06, 2009

APR - 9 2009



**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520

| | | | |
|---|---|---|---|
| Client Sample ID: | Well 1 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Mar 17, 2009 | Sample Taken At: | Well 1 |
| Date Received: | Mar 18, 2009 | Sample Taken By: | Richard Safley |
| Product Description: | WATER | Time Sampled: | 1009 |
| | | Time Received: | 1010 |
| | | Mine: | 27 |
| | | Site: | 8 |
| | | Field - pH: | 7.84 |
| | | Field - Dis. Oxygen: | 8.9 MG/L |
| | | Field - Flow: | 260 GPM |
| | | Field - Conductivity: | 1200 UMHOS/CM |
| | | Field - Temperature: | 11.8 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired When Received

**SGS Minerals Sample ID: 782-0901004-003**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Calcium, Ca - Dissolved | 71.75 | mg/L | EPA 200.7 | 0.030 | 03/19/2009 | 17:39 | CM |
| Iron, Fe - Total | 0.94 | mg/L | EPA 200.7 | 0.050 | 03/24/2009 | 18:44 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 03/19/2009 | 17:39 | CM |
| Magnesium, Mg - Dissolved | 64.09 | mg/L | EPA 200.7 | 0.010 | 03/19/2009 | 17:39 | CM |
| Manganese, Mn - Total | 0.004 | mg/L | EPA 200.7 | 0.002 | 03/24/2009 | 18:44 | CM |
| Manganese, Mn - Dissolved | <0.002 | mg/L | EPA 200.7 | 0.002 | 03/19/2009 | 17:39 | CM |
| Potassium, K - Dissolved | 2.83 | mg/L | EPA 200.7 | 0.140 | 03/19/2009 | 17:39 | CM |
| Sodium, Na - Dissolved | 111.17 | mg/L | EPA 200.7 | 0.090 | 03/19/2009 | 17:39 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

# APPENDIX B-2
# WATER MONITORING

# SECOND QUARTER

**Sunnyside Cogeneration Associates**

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

July 21, 2009

Darron Haddock
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

Subject: Quarterly Sampling Report
Monitoring Period: April, May, June 2009
DOGM Operational Water Monitoring

Dear Darron:

This letter is to confirm that the quarterly baseline water sampling data and the UPDES DMR data, have been submitted to the DOGM EDI web site. The data is correct and ready to be processed.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

Thank You,

Richard Carter
Agent For
Sunnyside Cogeneration Associates

c.c. Steve Gross
William Rossiter
Maggie Estrada
Paul Shepard
Rusty Netz
Plant File

**Sunnyside Cogeneration Facility**
Sunnyside, Utah

## Field Parameter Data

DOGM Permit Boundry Water Quality Monitoring Plan
Monitoring Period: Second Quarter 2009
Samples taken June 10, 2009

| Monitoring Location | Location I.D. | Temp. ( C) | pH (su) | SC (umhos) | Dissolved Oxygen (mg/l) | Flow Rate (gpm) | Flow method |
|---|---|---|---|---|---|---|---|
| Icelander Creek | ICE-1 | 10.8 | 8.69 | 2410 | 10 | 3 | 2 |
| Columbia Dugway Spring | F-2 | 10.6 | 8.62 | 1579 | 10.2 | 45 | 2 |
| Coarse Refuse Seep Source | CRS | NA | NA | NA | NA | NA | NA |
| Coarse Refuse Seep Boundary | CRB | 11.4 | 8.23 | 6920 | 6.5 | 30 | 2 |
| Dragerton Well | Well-1 | 13.4 | 7.82 | 1130 | 6.4 | 200 | 4 |
| Borehole B-6 | B-6 | NW | NW | NW | NW | NW | NW |

Notes:
na - no flow
NW- no water present
NW/F- no water present frozen
nd - data is not available due to lack of discharge
1- Flow rates were measured using a weir.
2 - Flow rates were measured using a calibrated container and stopwatch method.
3 - Flow rates were measured using the floating debris method.
4 - Flow rates were measured using a meter

SGS

# Analysis Report

June 30, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520





| | | | |
|---|---|---|---|
| Client Sample ID: | CRB | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Jun 10, 2009 | Sample Taken At: | CRB |
| Date Received: | Jun 11, 2009 | Sample Taken By: | Richard S. |
| Product Description: | WATER | Time Sampled: | 0957 |
| | | Time Received: | 0940 |
| | | Mine: | 27 |
| | | Site: | 9 |
| | | Field - pH: | 8.23 |
| | | Field - Dis. Oxygen: | 6.5 MG/L |
| | | Field - Flow: | 30 GPM |
| | | Field - Conductivity: | 6920 UMHOS/CM |
| | | Field - Temperature: | 11.4 DEG. C |

Comments: Dissolved Metals Filtered at Lab

**SGS Minerals Sample ID: 782-0901188-001**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 3334 | mg/L | SM2340-B | 1.000 | 06/29/2009 | 15:28 | SJ |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 06/19/2009 | 09:30 | CM |
| Anions | 103.30 | meq/L | SM1030 | 0.000 | 06/29/2009 | 15:27 | SJ |
| Sulfate, SO4 | 4379 | mg/L | EPA 300.0 | 1.000 | 06/16/2009 | 15:15 | CM |
| Cations | 104.00 | meq/L | SM1030 | 0.000 | 06/29/2009 | 15:27 | SJ |
| Balance | 0.30 | % | SM1030 | -10.000 | 06/29/2009 | 15:27 | SJ |
| pH | 8.05 | s. u. | SM4500-H | 0.010 | 06/11/2009 | 09:57 | CM |
| pH Temperature | 17.80 | °C | SM4500-H | 0.010 | 06/11/2009 | 09:57 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 06/11/2009 | 12:40 | GF |
| Total Dissolved Solids | 7175 | mg/L | SM2540-C | 30.000 | 06/11/2009 | 15:00 | CM |
| Total Suspended Solids | 10 | mg/L | SM2540-D | 5.000 | 06/11/2009 | 15:00 | CM |
| Chloride, Cl | 180 | mg/L | EPA 300.0 | 1.000 | 06/12/2009 | 16:41 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 353 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |
| Carbonate Alkalinity as CaCO3 | <5 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |
| Bicarbonate Alkalinity as CaCO3 | 353 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Ludington

Huntington Laboratory

SGS

# Analysis Report

June 30, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | CRB | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Jun 10, 2009 | Sample Taken At: | CRB |
| Date Received: | Jun 11, 2009 | Sample Taken By: | Richard S. |
| Product Description: | WATER | Time Sampled: | 0957 |
| | | Time Received: | 0940 |
| | | Mine: | 27 |
| | | Site: | 9 |
| | | Field - pH: | 8.23 |
| | | Field - Dis. Oxygen: | 6.5 MG/L |
| | | Field - Flow: | 30 GPM |
| | | Field - Conductivity: | 6920 UMHOS/CM |
| | | Field - Temperature: | 11.4 DEG. C |

Comments: Dissolved Metals Filtered at Lab

**SGS Minerals Sample ID: 782-0901188-001**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Calcium, Ca - Dissolved | 477.08 | mg/L | EPA 200.7 | 0.030 | 06/23/2009 | 16:49 | GF |
| Iron, Fe - Total | 0.05 | mg/L | EPA 200.7 | 0.050 | 06/16/2009 | 14:51 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 06/16/2009 | 22:00 | CM |
| Magnesium, Mg - Dissolved | 520.43 | mg/L | EPA 200.7 | 0.010 | 06/23/2009 | 16:49 | GF |
| Manganese, Mn - Total | 0.006 | mg/L | EPA 200.7 | 0.002 | 06/16/2009 | 14:51 | CM |
| Manganese, Mn - Dissolved | 0.002 | mg/L | EPA 200.7 | 0.002 | 06/16/2009 | 22:00 | CM |
| Potassium, K - Dissolved | 48.33 | mg/L | EPA 200.7 | 0.140 | 06/16/2009 | 22:00 | CM |
| Sodium, Na - Dissolved | 831.56 | mg/L | EPA 200.7 | 0.090 | 06/26/2009 | 15:19 | GF |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Ludington

Huntington Laboratory

# Analysis Report

June 30, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | ICE-1 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Jun 10, 2009 | Sample Taken At: | ICE-1 |
| Date Received: | Jun 11, 2009 | Sample Taken By: | Richard |
| Product Description: | WATER | Time Sampled: | 1024 |
| | | Time Received: | 0940 |
| | | Mine: | 27 |
| | | Site: | 12 |
| | | Field - pH: | 8.69 |
| | | Field - Dis. Oxygen: | 10 MG/L |
| | | Field - Flow: | 3 GPM |
| | | Field - Conductivity: | 2410 UMHOS/CM |
| | | Field - Temperature: | 10.8 DEG. C |

Comments: Dissolved Metals Filtered at Lab

**SGS Minerals Sample ID: 782-0901188-002**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 1340 | mg/L | SM2340-B | 1.000 | 06/29/2009 | 15:28 | SJ |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 06/19/2009 | 09:30 | CM |
| Anions | 44.00 | meq/L | SM1030 | 0.000 | 06/29/2009 | 15:27 | SJ |
| Sulfate, SO4 | 1627 | mg/L | EPA 300.0 | 1.000 | 06/12/2009 | 16:41 | CM |
| Cations | 44.70 | meq/L | SM1030 | 0.000 | 06/29/2009 | 15:27 | SJ |
| Balance | 0.80 | % | SM1030 | -10.000 | 06/29/2009 | 15:27 | SJ |
| pH | 7.78 | s. u. | SM4500-H | 0.010 | 06/11/2009 | 10:02 | CM |
| pH Temperature | 17.50 | °C | SM4500-H | 0.010 | 06/11/2009 | 10:02 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 06/11/2009 | 12:40 | GF |
| Total Dissolved Solids | 2991 | mg/L | SM2540-C | 30.000 | 06/11/2009 | 15:00 | CM |
| Total Suspended Solids | 20 | mg/L | SM2540-D | 5.000 | 06/11/2009 | 15:00 | CM |
| Chloride, Cl | 79 | mg/L | EPA 300.0 | 1.000 | 06/12/2009 | 16:41 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 395 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |
| Carbonate Alkalinity as CaCO3 | <5 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |
| Bicarbonate Alkalinity as CaCO3 | 395 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Ludington

Huntington Laboratory

SGS

# Analysis Report

June 30, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | ICE-1 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Jun 10, 2009 | Sample Taken At: | ICE-1 |
| Date Received: | Jun 11, 2009 | Sample Taken By: | Richard |
| Product Description: | WATER | Time Sampled: | 1024 |
| | | Time Received: | 0940 |
| | | Mine: | 27 |
| | | Site: | 12 |
| | | Field - pH: | 8.69 |
| | | Field - Dis. Oxygen: | 10 MG/L |
| | | Field - Flow: | 3 GPM |
| | | Field - Conductivity: | 2410 UMHOS/CM |
| | | Field - Temperature: | 10.8 DEG. C |

Comments: Dissolved Metals Filtered at Lab

**SGS Minerals Sample ID: 782-0901188-002**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Calcium, Ca - Dissolved | 180.40 | mg/L | EPA 200.7 | 0.030 | 06/23/2009 | 16:49 | GF |
| Iron, Fe - Total | 0.35 | mg/L | EPA 200.7 | 0.050 | 06/16/2009 | 14:51 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 06/16/2009 | 22:00 | CM |
| Magnesium, Mg - Dissolved | 216.11 | mg/L | EPA 200.7 | 0.010 | 06/23/2009 | 16:49 | GF |
| Manganese, Mn - Total | 0.008 | mg/L | EPA 200.7 | 0.002 | 06/16/2009 | 14:51 | CM |
| Manganese, Mn - Dissolved | <0.002 | mg/L | EPA 200.7 | 0.002 | 06/16/2009 | 22:00 | CM |
| Potassium, K - Dissolved | 10.55 | mg/L | EPA 200.7 | 0.140 | 06/16/2009 | 22:00 | CM |
| Sodium, Na - Dissolved | 406.46 | mg/L | EPA 200.7 | 0.090 | 06/23/2009 | 16:49 | GF |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Ludington

Huntington Laboratory

SGS

# Analysis Report

June 30, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | F-2 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Jun 10, 2009 | Sample Taken At: | F-2 |
| Date Received: | Jun 11, 2009 | Sample Taken By: | Richard |
| Product Description: | WATER | Time Sampled: | 1046 |
| | | Time Received: | 0940 |
| | | Mine: | 27 |
| | | Site: | 11 |
| | | Field - pH: | 8.62 |
| | | Field - Dis. Oxygen: | 10.2 MG/L |
| | | Field - Flow: | 45 GPM |
| | | Field - Conductivity: | 1579 UMHOS/CM |
| | | Field - Temperature: | 10.6 DEG. C |

Comments: Dissolved Metals Filtered at Lab

**SGS Minerals Sample ID: 782-0901188-003**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 601 | mg/L | SM2340-B | 1.000 | 06/29/2009 | 15:28 | SJ |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 06/19/2009 | 09:30 | CM |
| Anions | 18.90 | meq/L | SM1030 | 0.000 | 06/29/2009 | 15:27 | SJ |
| Sulfate, SO4 | 437 | mg/L | EPA 300.0 | 1.000 | 06/12/2009 | 16:41 | CM |
| Cations | 19.80 | meq/L | SM1030 | 0.000 | 06/29/2009 | 15:27 | SJ |
| Balance | 2.30 | % | SM1030 | -10.000 | 06/29/2009 | 15:27 | SJ |
| pH | 8.42 | s. u. | SM4500-H | 0.010 | 06/11/2009 | 10:05 | CM |
| pH Temperature | 17.80 | °C | SM4500-H | 0.010 | 06/11/2009 | 10:05 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 06/11/2009 | 12:40 | GF |
| Total Dissolved Solids | 1087 | mg/L | SM2540-C | 30.000 | 06/11/2009 | 15:00 | CM |
| Total Suspended Solids | 14 | mg/L | SM2540-D | 5.000 | 06/11/2009 | 15:00 | CM |
| Chloride, Cl | 30 | mg/L | EPA 300.0 | 1.000 | 06/12/2009 | 16:41 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 446 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |
| Carbonate Alkalinity as CaCO3 | 32 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |
| Bicarbonate Alkalinity as CaCO3 | 414 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

SGS

# Analysis Report

June 30, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | F-2 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Jun 10, 2009 | Sample Taken At: | F-2 |
| Date Received: | Jun 11, 2009 | Sample Taken By: | Richard |
| Product Description: | WATER | Time Sampled: | 1046 |
| | | Time Received: | 0940 |
| | | Mine: | 27 |
| | | Site: | 11 |
| | | Field - pH: | 8.62 |
| | | Field - Dis. Oxygen: | 10.2 MG/L |
| | | Field - Flow: | 45 GPM |
| | | Field - Conductivity: | 1579 UMHOS/CM |
| | | Field - Temperature: | 10.6 DEG. C |

Comments: Dissolved Metals Filtered at Lab

**SGS Minerals Sample ID: 782-0901188-003**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Calcium, Ca - Dissolved | 82.39 | mg/L | EPA 200.7 | 0.030 | 06/16/2009 | 22:00 | CM |
| Iron, Fe - Total | 0.88 | mg/L | EPA 200.7 | 0.050 | 06/16/2009 | 14:51 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 06/16/2009 | 22:00 | CM |
| Magnesium, Mg - Dissolved | 96.03 | mg/L | EPA 200.7 | 0.010 | 06/16/2009 | 22:00 | CM |
| Manganese, Mn - Total | 0.040 | mg/L | EPA 200.7 | 0.002 | 06/16/2009 | 14:51 | CM |
| Manganese, Mn - Dissolved | 0.013 | mg/L | EPA 200.7 | 0.002 | 06/16/2009 | 22:00 | CM |
| Potassium, K - Dissolved | 3.29 | mg/L | EPA 200.7 | 0.140 | 06/16/2009 | 22:00 | CM |
| Sodium, Na - Dissolved | 176.29 | mg/L | EPA 200.7 | 0.090 | 06/23/2009 | 16:49 | GF |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Huntington

Huntington Laboratory

SGS

# Analysis Report

June 30, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | Well-1 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Jun 10, 2009 | Sample Taken At: | Well-1 |
| Date Received: | Jun 11, 2009 | Sample Taken By: | Richard S. |
| Product Description: | WATER | Time Sampled: | 1100 |
| | | Time Received: | 0940 |
| | | Mine: | 27 |
| | | Site: | 8 |
| | | Field - pH: | 7.82 |
| | | Field - Dis. Oxygen: | 6.4 MG/L |
| | | Field - Flow: | 200 GPM |
| | | Field - Conductivity: | 1130 UMHOS/CM |
| | | Field - Temperature: | 13.4 DEG. C |

Comments: Dissolved Metals Filtered at Lab
Raw Bottle Not Obtained At Lab

**SGS Minerals Sample ID: 782-0901188-004**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 451 | mg/L | SM2340-B | 1.000 | 06/29/2009 | 15:28 | SJ |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 06/19/2009 | 09:30 | CM |
| Anions | 13.00 | meq/L | SM1030 | 0.000 | 06/29/2009 | 15:27 | SJ |
| Sulfate, SO4 | 224 | mg/L | EPA 300.0 | 1.000 | 06/12/2009 | 16:41 | CM |
| Cations | 13.60 | meq/L | SM1030 | 0.000 | 06/29/2009 | 15:27 | SJ |
| Balance | 2.00 | % | SM1030 | -10.000 | 06/29/2009 | 15:27 | SJ |
| pH | 7.69 | s. u. | SM4500-H | 0.010 | 06/11/2009 | 10:07 | CM |
| pH Temperature | 17.80 | °C | SM4500-H | 0.010 | 06/11/2009 | 10:07 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 06/11/2009 | 12:40 | GF |
| Total Dissolved Solids | 717 | mg/L | SM2540-C | 30.000 | 06/11/2009 | 15:00 | CM |
| Total Suspended Solids | <5 | mg/L | SM2540-D | 5.000 | 06/11/2009 | 15:00 | CM |
| Chloride, Cl | 17 | mg/L | EPA 300.0 | 1.000 | 06/12/2009 | 16:41 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 395 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |
| Carbonate Alkalinity as CaCO3 | <5 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |
| Bicarbonate Alkalinity as CaCO3 | 395 | mg/L | SM2320-B | 5.000 | 06/16/2009 | 13:40 | AL |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Ludington

Huntington Laboratory

SGS

# Analysis Report

June 30, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | Well-1 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Jun 10, 2009 | Sample Taken At: | Well-1 |
| Date Received: | Jun 11, 2009 | Sample Taken By: | Richard S. |
| Product Description: | WATER | Time Sampled: | 1100 |
| | | Time Received: | 0940 |
| | | Mine: | 27 |
| | | Site: | 8 |
| | | Field - pH: | 7.82 |
| | | Field - Dis. Oxygen: | 6.4 MG/L |
| | | Field - Flow: | 200 GPM |
| | | Field - Conductivity: | 1130 UMHOS/CM |
| | | Field - Temperature: | 13.4 DEG. C |

Comments: Dissolved Metals Filtered at Lab
Raw Bottle Not Obtained At Lab

**SGS Minerals Sample ID: 782-0901188-004**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Calcium, Ca - Dissolved | 72.69 | mg/L | EPA 200.7 | 0.030 | 06/16/2009 | 22:00 | CM |
| Iron, Fe - Total | 0.16 | mg/L | EPA 200.7 | 0.050 | 06/16/2009 | 14:51 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 06/16/2009 | 22:00 | CM |
| Magnesium, Mg - Dissolved | 65.39 | mg/L | EPA 200.7 | 0.010 | 06/16/2009 | 22:00 | CM |
| Manganese, Mn - Total | 0.002 | mg/L | EPA 200.7 | 0.002 | 06/16/2009 | 14:51 | CM |
| Manganese, Mn - Dissolved | <0.002 | mg/L | EPA 200.7 | 0.002 | 06/16/2009 | 22:00 | CM |
| Potassium, K - Dissolved | 2.76 | mg/L | EPA 200.7 | 0.140 | 06/16/2009 | 22:00 | CM |
| Sodium, Na - Dissolved | 103.21 | mg/L | EPA 200.7 | 0.090 | 06/16/2009 | 22:00 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Luckington

Huntington Laboratory

# APPENDIX B-2
# WATER MONITORING

# THIRD QUARTER

**Sunnyside Cogeneration Associates**

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

October 26, 2009

Darron Haddock
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

Subject: Quarterly Sampling Report
Monitoring Period: July, August, September 2009
DOGM Operational Water Monitoring

Dear Darron:

This letter is to confirm that the quarterly baseline water sampling data and the UPDES DMR data, have been submitted to the DOGM EDI web site. The data is correct and ready to be processed.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

Thank You,

Richard Carter
Agent For
Sunnyside Cogeneration Associates

c.c. Steve Gross
William Rossiter
Maggie Estrada
Paul Shepard
Rusty Netz
Plant File

**Sunnyside Cogeneration Facility**
Sunnyside, Utah

## Field Parameter Data

DOGM Permit Boundry Water Quality Monitoring Plan
Monitoring Period: Second Quarter 2009
Samples taken August 18, 2009

| Monitoring Location | Location I.D. | Temp. ( C) | pH (su) | SC (umhos) | Dissolved Oxygen (mg/l) | Flow Rate (gpm) | Flow method |
|---|---|---|---|---|---|---|---|
| Icelander Creek | ICE-1 | NW | NW | NW | NW | NW | NW |
| Columbia Dugway Spring | F-2 | 12.4 | 8.32 | 1761 | 9 | 5 | 2 |
| Coarse Refuse Seep Source | CRS | NA | NA | NA | NA | NA | NA |
| Coarse Refuse Seep Boundary | CRB | 13.9 | 7.99 | 7790 | 8.2 | 8 | 2 |
| Dragerton Well | Well-1 | 16.5 | 7.69 | 1264 | 8.4 | 200 | 4 |
| Borehole B-6 | B-6 | NW | NW | NW | NW | NW | NW |

Notes:
na - no flow
NW- no water present
NW/F- no water present frozen
nd - data is not available due to lack of discharge
1- Flow rates were measured using a weir.
2 - Flow rates were measured using a calibrated container and stopwatch method.
3 - Flow rates were measured using the floating debris method.
4 - Flow rates were measured using a meter

# Analysis Report

August 26, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



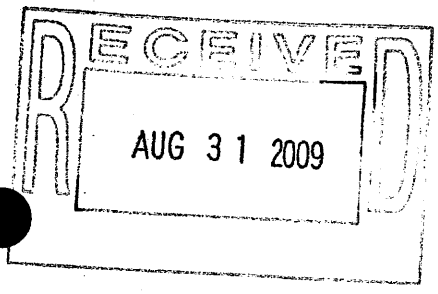
| | |
|---|---|
| Client Sample ID: | CRB |
| Date Sampled: | Aug 18, 2009 |
| Date Received: | Aug 19, 2009 |
| Product Description: | WATER |

| | |
|---|---|
| Sample ID By: | Sunnyside Cogeneration Assoc. |
| Sample Taken At: | CRB |
| Sample Taken By: | Richard Safely |
| Time Sampled: | 0830 |
| Time Received: | 1000 |
| Mine: | 27 |
| Site: | 9 |
| Field - pH: | 7.99 |
| Field - Dis. Oxygen: | 8.2 MG/L |
| Field - Flow: | 8 GPM |
| Field - Conductivity: | 7790 UMHOS/CM |
| Field - Temperature: | 13.9 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired when recieved

**SGS Minerals Sample ID: 782-0901442-001**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 3773 | mg/L | SM2340-B | 1.000 | 08/26/2009 | 09:23 | AL |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 08/24/2009 | 09:30 | CM |
| Sulfate, SO4 | 4896 | mg/L | EPA 300.0 | 1.000 | 08/20/2009 | 14:44 | CM |
| Anions | 115.00 | meq/L | SM1030 | 0.000 | 08/26/2009 | 09:23 | AL |
| Cations | 124.70 | meq/L | SM1030 | 0.000 | 08/26/2009 | 09:23 | AL |
| Balance | 4.10 | % | SM1030 | -10.000 | 08/26/2009 | 09:23 | AL |
| pH | 8.13 | s. u. | SM4500-H | 0.010 | 08/19/2009 | 10:55 | CM |
| pH Temperature | 18.30 | °C | SM4500-H | 0.010 | 08/19/2009 | 10:55 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 08/19/2009 | 11:00 | GF |
| Total Dissolved Solids | 8478 | mg/L | SM2540-C | 30.000 | 08/20/2009 | 15:00 | GF |
| Total Suspended Solids | <5 | mg/L | SM2540-D | 5.000 | 08/20/2009 | 15:00 | GF |
| Chloride, Cl | 200 | mg/L | EPA 300.0 | 1.000 | 08/19/2009 | 17:17 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 369 | mg/L | SM2320-B | 5.000 | 08/19/2009 | 13:00 | CM |
| Carbonate Alkalinity as CaCO3 | <5 | mg/L | SM2320-B | 5.000 | 08/19/2009 | 13:00 | CM |
| Bicarbonate Alkalinity as CaCO3 | 369 | mg/L | SM2320-B | 5.000 | 08/19/2009 | 13:00 | CM |




Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

SGS

# Analysis Report

August 26, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | CRB | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Aug 18, 2009 | Sample Taken At: | CRB |
| Date Received: | Aug 19, 2009 | Sample Taken By: | Richard Safely |
| Product Description: | WATER | Time Sampled: | 0830 |
| | | Time Received: | 1000 |
| | | Mine: | 27 |
| | | Site: | 9 |
| | | Field - pH: | 7.99 |
| | | Field - Dis. Oxygen: | 8.2 MG/L |
| | | Field - Flow: | 8 GPM |
| | | Field - Conductivity: | 7790 UMHOS/CM |
| | | Field - Temperature: | 13.9 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired when recieved

**SGS Minerals Sample ID: 782-0901442-001**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Calcium, Ca - Dissolved | 495.36 | mg/L | EPA 200.7 | 0.030 | 08/25/2009 | 15:51 | CM |
| Iron, Fe - Total | <0.05 | mg/L | EPA 200.7 | 0.050 | 08/25/2009 | 12:41 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 08/25/2009 | 15:51 | CM |
| Magnesium, Mg - Dissolved | 615.74 | mg/L | EPA 200.7 | 0.010 | 08/25/2009 | 15:51 | CM |
| Manganese, Mn - Total | <0.002 | mg/L | EPA 200.7 | 0.002 | 08/25/2009 | 12:41 | CM |
| Manganese, Mn - Dissolved | <0.002 | mg/L | EPA 200.7 | 0.002 | 08/25/2009 | 15:51 | CM |
| Potassium, K - Dissolved | 59.14 | mg/L | EPA 200.7 | 0.140 | 08/25/2009 | 15:51 | CM |
| Sodium, Na - Dissolved | 1099.30 | mg/L | EPA 200.7 | 0.090 | 08/25/2009 | 15:51 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Huntington

Huntington Laboratory

# Analysis Report

August 26, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | F-2 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Aug 18, 2009 | Sample Taken At: | F-2 |
| Date Received: | Aug 19, 2009 | Sample Taken By: | Richard Safely |
| Product Description: | WATER | Time Sampled: | 0900 |
| | | Time Received: | 1000 |
| | | Mine: | 27 |
| | | Site: | 11 |
| | | Field - pH: | 8.32 |
| | | Field - Dis. Oxygen: | 9.0 MG/L |
| | | Field - Flow: | 5 GPM |
| | | Field - Conductivity: | 1761 UMHOS/CM |
| | | Field - Temperature: | 12.4 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired when recieved

**SGS Minerals Sample ID: 782-0901442-002**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 664 | mg/L | SM2340-B | 1.000 | 08/26/2009 | 09:23 | AL |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 08/24/2009 | 09:30 | CM |
| Sulfate, SO4 | 472 | mg/L | EPA 300.0 | 1.000 | 08/19/2009 | 17:17 | CM |
| Anions | 21.40 | meq/L | SM1030 | 0.000 | 08/26/2009 | 09:23 | AL |
| Cations | 22.10 | meq/L | SM1030 | 0.000 | 08/26/2009 | 09:23 | AL |
| Balance | 1.60 | % | SM1030 | -10.000 | 08/26/2009 | 09:23 | AL |
| pH | 8.42 | s. u. | SM4500-H | 0.010 | 08/19/2009 | 10:57 | CM |
| pH Temperature | 18.30 | °C | SM4500-H | 0.010 | 08/19/2009 | 10:57 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 08/19/2009 | 11:00 | GF |
| Total Dissolved Solids | 1283 | mg/L | SM2540-C | 30.000 | 08/20/2009 | 15:00 | GF |
| Total Suspended Solids | 6 | mg/L | SM2540-D | 5.000 | 08/20/2009 | 15:00 | GF |
| Chloride, Cl | 36 | mg/L | EPA 300.0 | 1.000 | 08/19/2009 | 17:17 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 529 | mg/L | SM2320-B | 5.000 | 08/19/2009 | 13:00 | CM |
| Carbonate Alkalinity as CaCO3 | 16 | mg/L | SM2320-B | 5.000 | 08/19/2009 | 13:00 | CM |
| Bicarbonate Alkalinity as CaCO3 | 512 | mg/L | SM2320-B | 5.000 | 08/19/2009 | 13:00 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

SGS

# Analysis Report

August 26, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | F-2 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Aug 18, 2009 | Sample Taken At: | F-2 |
| Date Received: | Aug 19, 2009 | Sample Taken By: | Richard Safely |
| Product Description: | WATER | Time Sampled: | 0900 |
| | | Time Received: | 1000 |
| | | Mine: | 27 |
| | | Site: | 11 |
| | | Field - pH: | 8.32 |
| | | Field - Dis. Oxygen: | 9.0 MG/L |
| | | Field - Flow: | 5 GPM |
| | | Field - Conductivity: | 1761 UMHOS/CM |
| | | Field - Temperature: | 12.4 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired when recieved

**SGS Minerals Sample ID: 782-0901442-002**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Calcium, Ca - Dissolved | 83.49 | mg/L | EPA 200.7 | 0.030 | 08/25/2009 | 15:51 | CM |
| Iron, Fe - Total | 0.14 | mg/L | EPA 200.7 | 0.050 | 08/25/2009 | 12:41 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 08/25/2009 | 15:51 | CM |
| Magnesium, Mg - Dissolved | 110.50 | mg/L | EPA 200.7 | 0.010 | 08/25/2009 | 15:51 | CM |
| Manganese, Mn - Total | 0.019 | mg/L | EPA 200.7 | 0.002 | 08/25/2009 | 12:41 | CM |
| Manganese, Mn - Dissolved | 0.011 | mg/L | EPA 200.7 | 0.002 | 08/25/2009 | 15:51 | CM |
| Potassium, K - Dissolved | 2.75 | mg/L | EPA 200.7 | 0.140 | 08/25/2009 | 15:51 | CM |
| Sodium, Na - Dissolved | 202.14 | mg/L | EPA 200.7 | 0.090 | 08/25/2009 | 15:51 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Luotenglow

Huntington Laboratory

# Analysis Report

August 26, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | Well #1 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Aug 18, 2009 | Sample Taken At: | Well #1 |
| Date Received: | Aug 19, 2009 | Sample Taken By: | Richard Safely |
| Product Description: | WATER | Time Sampled: | 0920 |
| | | Time Received: | 1000 |
| | | Mine: | 27 |
| | | Site: | 8 |
| | | Field - pH: | 7.69 |
| | | Field - Dis. Oxygen: | 8.4 MG/L |
| | | Field - Flow: | 200 GPM |
| | | Field - Conductivity: | 1264 UMHOS/CM |
| | | Field - Temperature: | 16.5 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired when recieved

**SGS Minerals Sample ID: 782-0901442-003**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 508 | mg/L | SM2340-B | 1.000 | 08/26/2009 | 09:23 | AL |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 08/24/2009 | 09:30 | CM |
| Sulfate, SO4 | 290 | mg/L | EPA 300.0 | 1.000 | 08/19/2009 | 17:17 | CM |
| Anions | 14.91 | meq/L | SM1030 | 0.000 | 08/26/2009 | 09:23 | AL |
| Cations | 15.39 | meq/L | SM1030 | 0.000 | 08/26/2009 | 09:23 | AL |
| Balance | 1.57 | % | SM1030 | -10.000 | 08/26/2009 | 09:23 | AL |
| pH | 8.02 | s. u. | SM4500-H | 0.010 | 08/19/2009 | 10:59 | CM |
| pH Temperature | 19.20 | °C | SM4500-H | 0.010 | 08/19/2009 | 10:59 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 08/19/2009 | 11:00 | GF |
| Total Dissolved Solids | 867 | mg/L | SM2540-C | 30.000 | 08/20/2009 | 15:00 | GF |
| Total Suspended Solids | <5 | mg/L | SM2540-D | 5.000 | 08/20/2009 | 15:00 | GF |
| Chloride, Cl | 45 | mg/L | EPA 300.0 | 1.000 | 08/19/2009 | 17:17 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 380 | mg/L | SM2320-B | 5.000 | 08/19/2009 | 13:00 | CM |
| Carbonate Alkalinity as CaCO3 | <5 | mg/L | SM2320-B | 5.000 | 08/19/2009 | 13:00 | CM |
| Bicarbonate Alkalinity as CaCO3 | 380 | mg/L | SM2320-B | 5.000 | 08/19/2009 | 13:00 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

SGS

# Analysis Report

August 26, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | Well #1 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Aug 18, 2009 | Sample Taken At: | Well #1 |
| Date Received: | Aug 19, 2009 | Sample Taken By: | Richard Safely |
| Product Description: | WATER | Time Sampled: | 0920 |
| | | Time Received: | 1000 |
| | | Mine: | 27 |
| | | Site: | 8 |
| | | Field - pH: | 7.69 |
| | | Field - Dis. Oxygen: | 8.4 MG/L |
| | | Field - Flow: | 200 GPM |
| | | Field - Conductivity: | 1264 UMHOS/CM |
| | | Field - Temperature: | 16.5 DEG. C |

Comments: Dissolved Metals Filtered at Lab
pH Expired when recieved

**SGS Minerals Sample ID: 782-0901442-003**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Calcium, Ca - Dissolved | 64.64 | mg/L | EPA 200.7 | 0.030 | 08/25/2009 | 15:51 | CM |
| Iron, Fe - Total | 0.14 | mg/L | EPA 200.7 | 0.050 | 08/25/2009 | 12:41 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 08/25/2009 | 15:51 | CM |
| Magnesium, Mg - Dissolved | 84.06 | mg/L | EPA 200.7 | 0.010 | 08/25/2009 | 15:51 | CM |
| Manganese, Mn - Total | 0.003 | mg/L | EPA 200.7 | 0.002 | 08/25/2009 | 12:41 | CM |
| Manganese, Mn - Dissolved | 0.003 | mg/L | EPA 200.7 | 0.002 | 08/25/2009 | 15:51 | CM |
| Potassium, K - Dissolved | 2.34 | mg/L | EPA 200.7 | 0.140 | 08/25/2009 | 15:51 | CM |
| Sodium, Na - Dissolved | 119.21 | mg/L | EPA 200.7 | 0.090 | 08/25/2009 | 15:51 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Huntington

Huntington Laboratory

# APPENDIX B-2
# WATER MONITORING

# FOURTH QUARTER

**Sunnyside Cogeneration Associates**

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

January 15, 2010

Darron Haddock
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

Subject: Quarterly Sampling Report
Monitoring Period: October, November, December 2009
DOGM Operational Water Monitoring

Dear Darron:

This letter is to confirm that the quarterly baseline water sampling data and the UPDES DMR data, have been submitted to the DOGM EDI web site. The data is correct and ready to be processed.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

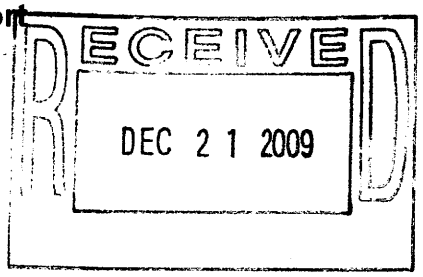
Thank You,

Richard Carter
Agent For
Sunnyside Cogeneration Associates

c.c. Steve Gross
William Rossiter
Maggie Estrada
Paul Shepard
Rusty Netz
Plant File

SGS

# Analysis Report




December 16, 2009



**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520

| | | | |
|---|---|---|---|
| Client Sample ID: | CRB | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Dec 2, 2009 | Sample Taken At: | CRB |
| Date Received: | Dec 3, 2009 | Sample Taken By: | Rusty Netz |
| Product Description: | WATER | Time Sampled: | 0900 |
| | | Time Received: | 1050 |
| | | Mine: | 27 |
| | | Site: | 9 |
| | | Field - pH: | 7.98 pH |
| | | Field - Dis. Oxygen: | 10.5 MG/L |
| | | Field - Flow: | 2 GPM |
| | | Field - Conductivity: | 6650 UMHOS/CM |
| | | Field - Temperature: | 2.0 DEG. C |

Comments: Dissolved Metals Filtered at Lab
Sulfuric bottle preserved at lab
pH expired when received

**SGS Minerals Sample ID: 782-0901803-001**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 3242 | mg/L | SM2340-B | 1.000 | 12/16/2009 | 09:26 | AL |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 12/14/2009 | 09:30 | CM |
| Acidity | 15 | mg/L | D1067 | 5.000 | 12/08/2009 | 13:10 | CM |
| Anions | 101.37 | meq/L | SM1030 | 0.000 | 12/16/2009 | 09:26 | AL |
| Cations | 104.17 | meq/L | SM1030 | 0.000 | 12/16/2009 | 09:26 | AL |
| Balance | 1.36 | % | SM1030 | -10.000 | 12/16/2009 | 09:26 | AL |
| Nitrite | <0.05 | mg/L | EPA 300.0 | 0.050 | 12/03/2009 | 19:57 | CM |
| Nitrate | 0.67 | mg/L | EPA 300.0 | 0.050 | 12/03/2009 | 19:57 | CM |
| Ortho-Phosphate-P | <0.05 | mg/L | EPA 300.0 | 0.050 | 12/03/2009 | 19:57 | CM |
| Sulfate, SO4 | 4252 | mg/L | EPA 300.0 | 1.000 | 12/07/2009 | 22:51 | CM |
| Nitrogen, Ammonia | <0.1 | mg/L | SM4500-B-D | 0.100 | 12/11/2009 | 08:00 | CM |
| Conductivity | 6930 | µmhos/cm | SM2510 | 0.100 | 12/03/2009 | 11:30 | CM |
| pH | 8.19 | s. u. | SM4500-H | 0.010 | 12/03/2009 | 11:55 | CM |
| pH Temperature | 15.00 | °C | SM4500-H | 0.010 | 12/03/2009 | 11:55 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 12/03/2009 | 14:00 | AL |
| Total Dissolved Solids | 7326 | mg/L | SM2540-C | 30.000 | 12/07/2009 | 14:50 | CM |
| Total Suspended Solids | 8 | mg/L | SM2540-D | 5.000 | 12/07/2009 | 14:50 | CM |
| Chloride, Cl | 187 | mg/L | EPA 300.0 | 1.000 | 12/03/2009 | 19:57 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 378 | mg/L | SM2320-B | 5.000 | 12/04/2009 | 09:30 | CM |
| Carbonate Alkalinity as CaCO3 | <5 | mg/L | SM2320-B | 5.000 | 12/04/2009 | 09:30 | CM |
| Bicarbonate Alkalinity as CaCO3 | 378 | mg/L | SM2320-B | 5.000 | 12/04/2009 | 09:30 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

# Analysis Report

December 16, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | CRB | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Dec 2, 2009 | Sample Taken At: | CRB |
| Date Received: | Dec 3, 2009 | Sample Taken By: | Rusty Netz |
| Product Description: | WATER | Time Sampled: | 0900 |
| | | Time Received: | 1050 |
| | | Mine: | 27 |
| | | Site: | 9 |
| | | Field - pH: | 7.98 pH |
| | | Field - Dis. Oxygen: | 10.5 MG/L |
| | | Field - Flow: | 2 GPM |
| | | Field - Conductivity: | 6650 UMHOS/CM |
| | | Field - Temperature: | 2.0 DEG. C |

Comments: Dissolved Metals Filtered at Lab
Sulfuric bottle preserved at lab
pH expired when received

**SGS Minerals Sample ID: 782-0901803-001**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Molybdenum, Mo - Dissolved | <0.005 | mg/L | EPA 200.7 | 0.005 | 12/10/2009 | 14:04 | CM |
| Aluminum, Al - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 12/10/2009 | 14:04 | CM |
| Arsenic, As - Dissolved | <0.01 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Boron, B - Dissolved | 1.88 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Cadmium, Cd - Dissolved | <0.001 | mg/L | EPA 200.7 | 0.001 | 12/10/2009 | 14:04 | CM |
| Calcium, Ca - Dissolved | 459.58 | mg/L | EPA 200.7 | 0.030 | 12/10/2009 | 14:04 | CM |
| Copper, Cu - Dissolved | 0.02 | mg/L | EPA 200.7 | 0.010 | 12/15/2009 | 15:05 | CM |
| Iron, Fe - Total | <0.05 | mg/L | EPA 200.7 | 0.050 | 12/08/2009 | 16:20 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 12/10/2009 | 14:04 | CM |
| Lead, Pb - Dissolved | <0.01 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Magnesium, Mg - Dissolved | 508.72 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Manganese, Mn - Total | <0.002 | mg/L | EPA 200.7 | 0.002 | 12/08/2009 | 16:20 | CM |
| Manganese, Mn - Dissolved | <0.002 | mg/L | EPA 200.7 | 0.002 | 12/10/2009 | 14:04 | CM |
| Potassium, K - Dissolved | 44.04 | mg/L | EPA 200.7 | 0.140 | 12/10/2009 | 14:04 | CM |
| Selenium, Se - Dissolved | <0.02 | mg/L | EPA 200.7 | 0.020 | 12/10/2009 | 14:04 | CM |
| Sodium, Na - Dissolved | 879.61 | mg/L | EPA 200.7 | 0.090 | 12/10/2009 | 14:04 | CM |
| Zinc, Zn - Dissolved | <0.004 | mg/L | EPA 200.7 | 0.004 | 12/10/2009 | 14:04 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

SGS

# Analysis Report

December 16, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | F2 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Dec 2, 2009 | Sample Taken At: | F2 |
| Date Received: | Dec 3, 2009 | Sample Taken By: | Rusty Netz |
| Product Description: | WATER | Time Sampled: | 0940 |
| | | Time Received: | 1050 |
| | | Mine: | 27 |
| | | Site: | 11 |
| | | Field - pH: | 8.39 pH |
| | | Field - Dis. Oxygen: | 11 MG/L |
| | | Field - Flow: | 8 GPM |
| | | Field - Conductivity: | 1698 UMHOS/CM |
| | | Field - Temperature: | 1.5 DEG. C |

Comments: Dissolved Metals Filtered at Lab
Sulfuric bottle preserved at lab
pH expired when received

**SGS Minerals Sample ID: 782-0901803-002**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 650 | mg/L | SM2340-B | 1.000 | 12/16/2009 | 09:26 | AL |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 12/14/2009 | 09:30 | CM |
| Acidity | <5 | mg/L | D1067 | 5.000 | 12/08/2009 | 13:10 | CM |
| Anions | 21.32 | meq/L | SM1030 | 0.000 | 12/16/2009 | 09:26 | AL |
| Cations | 21.40 | meq/L | SM1030 | 0.000 | 12/16/2009 | 09:26 | AL |
| Balance | 0.19 | % | SM1030 | -10.000 | 12/16/2009 | 09:26 | AL |
| Nitrite | <0.05 | mg/L | EPA 300.0 | 0.050 | 12/03/2009 | 19:57 | CM |
| Nitrate | 0.17 | mg/L | EPA 300.0 | 0.050 | 12/03/2009 | 19:57 | CM |
| Ortho-Phosphate-P | <0.05 | mg/L | EPA 300.0 | 0.050 | 12/03/2009 | 19:57 | CM |
| Sulfate, SO4 | 515 | mg/L | EPA 300.0 | 1.000 | 12/07/2009 | 22:51 | CM |
| Nitrogen, Ammonia | <0.1 | mg/L | SM4500-B-D | 0.100 | 12/11/2009 | 08:00 | CM |
| Conductivity | 1721 | µmhos/cm | SM2510 | 0.100 | 12/03/2009 | 11:30 | CM |
| pH | 8.45 | s. u. | SM4500-H | 0.010 | 12/03/2009 | 11:57 | CM |
| pH Temperature | 14.80 | °C | SM4500-H | 0.010 | 12/03/2009 | 11:57 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 12/03/2009 | 14:00 | AL |
| Total Dissolved Solids | 1258 | mg/L | SM2540-C | 30.000 | 12/07/2009 | 14:50 | CM |
| Total Suspended Solids | 6 | mg/L | SM2540-D | 5.000 | 12/07/2009 | 14:50 | CM |
| Chloride, Cl | 38 | mg/L | EPA 300.0 | 1.000 | 12/03/2009 | 19:57 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 477 | mg/L | SM2320-B | 5.000 | 12/04/2009 | 09:30 | CM |
| Carbonate Alkalinity as CaCO3 | 27 | mg/L | SM2320-B | 5.000 | 12/04/2009 | 09:30 | CM |
| Bicarbonate Alkalinity as CaCO3 | 449 | mg/L | SM2320-B | 5.000 | 12/04/2009 | 09:30 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Ludington

Huntington Laboratory

# Analysis Report

December 16, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | F2 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Dec 2, 2009 | Sample Taken At: | F2 |
| Date Received: | Dec 3, 2009 | Sample Taken By: | Rusty Netz |
| Product Description: | WATER | Time Sampled: | 0940 |
| | | Time Received: | 1050 |
| | | Mine: | 27 |
| | | Site: | 11 |
| | | Field - pH: | 8.39 pH |
| | | Field - Dis. Oxygen: | 11 MG/L |
| | | Field - Flow: | 8 GPM |
| | | Field - Conductivity: | 1698 UMHOS/CM |
| | | Field - Temperature: | 1.5 DEG. C |

Comments: Dissolved Metals Filtered at Lab
Sulfuric bottle preserved at lab
pH expired when received

**SGS Minerals Sample ID: 782-0901803-002**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Molybdenum, Mo - Dissolved | <0.005 | mg/L | EPA 200.7 | 0.005 | 12/10/2009 | 14:04 | CM |
| Aluminum, Al - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 12/10/2009 | 14:04 | CM |
| Arsenic, As - Dissolved | <0.01 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Boron, B - Dissolved | 0.18 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Cadmium, Cd - Dissolved | <0.001 | mg/L | EPA 200.7 | 0.001 | 12/10/2009 | 14:04 | CM |
| Calcium, Ca - Dissolved | 85.48 | mg/L | EPA 200.7 | 0.030 | 12/10/2009 | 14:04 | CM |
| Copper, Cu - Dissolved | 0.01 | mg/L | EPA 200.7 | 0.010 | 12/15/2009 | 15:05 | CM |
| Iron, Fe - Total | 0.39 | mg/L | EPA 200.7 | 0.050 | 12/08/2009 | 16:20 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 12/10/2009 | 14:04 | CM |
| Lead, Pb - Dissolved | <0.01 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Magnesium, Mg - Dissolved | 105.89 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Manganese, Mn - Total | 0.030 | mg/L | EPA 200.7 | 0.002 | 12/08/2009 | 16:20 | CM |
| Manganese, Mn - Dissolved | 0.016 | mg/L | EPA 200.7 | 0.002 | 12/10/2009 | 14:04 | CM |
| Potassium, K - Dissolved | 2.76 | mg/L | EPA 200.7 | 0.140 | 12/10/2009 | 14:04 | CM |
| Selenium, Se - Dissolved | <0.02 | mg/L | EPA 200.7 | 0.020 | 12/10/2009 | 14:04 | CM |
| Sodium, Na - Dissolved | 192.00 | mg/L | EPA 200.7 | 0.090 | 12/10/2009 | 14:04 | CM |
| Zinc, Zn - Dissolved | 0.004 | mg/L | EPA 200.7 | 0.004 | 12/10/2009 | 14:04 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

SGS

# Analysis Report

December 16, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | Well #1 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Dec 2, 2009 | Sample Taken At: | Well #1 |
| Date Received: | Dec 3, 2009 | Sample Taken By: | Rusty Netz |
| Product Description: | WATER | Time Sampled: | 1000 |
| | | Time Received: | 1050 |
| | | Mine: | 27 |
| | | Site: | 8 |
| | | Field - pH: | 7.54 pH |
| | | Field - Dis. Oxygen: | 11 MG/L |
| | | Field - Flow: | 190 GPM |
| | | Field - Conductivity: | 1249 UMHOS/CM |
| | | Field - Temperature: | 5.9 DEG. C |

Comments: Dissolved Metals Filtered at Lab
Sulfuric bottle preserved at lab
pH expired when received

**SGS Minerals Sample ID: 782-0901803-003**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| Hardness, mg equivalent CaCO3/L | 481 | mg/L | SM2340-B | 1.000 | 12/16/2009 | 09:26 | AL |
| Oil and Grease, (HEM) | <5 | mg/L | EPA 1664 | 5.000 | 12/14/2009 | 09:30 | CM |
| Acidity | 20 | mg/L | D1067 | 5.000 | 12/08/2009 | 13:10 | CM |
| Anions | 14.59 | meq/L | SM1030 | 0.000 | 12/16/2009 | 09:26 | AL |
| Cations | 14.71 | meq/L | SM1030 | 0.000 | 12/16/2009 | 09:26 | AL |
| Balance | 0.40 | % | SM1030 | -10.000 | 12/16/2009 | 09:26 | AL |
| Nitrite | <0.05 | mg/L | EPA 300.0 | 0.050 | 12/03/2009 | 19:57 | CM |
| Nitrate | 1.16 | mg/L | EPA 300.0 | 0.050 | 12/03/2009 | 19:57 | CM |
| Ortho-Phosphate-P | <0.05 | mg/L | EPA 300.0 | 0.050 | 12/03/2009 | 19:57 | CM |
| Sulfate, SO4 | 274 | mg/L | EPA 300.0 | 1.000 | 12/03/2009 | 19:57 | CM |
| Nitrogen, Ammonia | <0.1 | mg/L | SM4500-B-D | 0.100 | 12/11/2009 | 08:00 | CM |
| Conductivity | 1251 | µmhos/cm | SM2510 | 0.100 | 12/03/2009 | 11:30 | CM |
| pH | 7.87 | s. u. | SM4500-H | 0.010 | 12/03/2009 | 11:59 | CM |
| pH Temperature | 14.80 | °C | SM4500-H | 0.010 | 12/03/2009 | 11:59 | CM |
| Settleable Solids | <0.1 | mL/L | SM2540-F a | 0.100 | 12/03/2009 | 14:00 | AL |
| Total Dissolved Solids | 822 | mg/L | SM2540-C | 30.000 | 12/07/2009 | 14:50 | CM |
| Total Suspended Solids | <5 | mg/L | SM2540-D | 5.000 | 12/07/2009 | 14:50 | CM |
| Chloride, Cl | 38 | mg/L | EPA 300.0 | 1.000 | 12/03/2009 | 19:57 | CM |
| Alkalinity, mg CaCO3/L (pH 4.5) | 391 | mg/L | SM2320-B | 5.000 | 12/04/2009 | 09:30 | CM |
| Carbonate Alkalinity as CaCO3 | <5 | mg/L | SM2320-B | 5.000 | 12/04/2009 | 09:30 | CM |
| Bicarbonate Alkalinity as CaCO3 | 391 | mg/L | SM2320-B | 5.000 | 12/04/2009 | 09:30 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

SGS

# Analysis Report

Decemb er 16, 2009

**SUNNYSIDE COGENERATION FAC**
PO BOX 10
EAST CARBON UT 84520



| | | | |
|---|---|---|---|
| Client Sample ID: | Well #1 | Sample ID By: | Sunnyside Cogeneration Assoc. |
| Date Sampled: | Dec 2, 2009 | Sample Taken At: | Well #1 |
| Date Received: | Dec 3, 2009 | Sample Taken By: | Rusty Netz |
| Product Description: | WATER | Time Sampled: | 1000 |
| | | Time Received: | 1050 |
| | | Mine: | 27 |
| | | Site: | 8 |
| | | Field - pH: | 7.54 pH |
| | | Field - Dis. Oxygen: | 11 MG/L |
| | | Field - Flow: | 190 GPM |
| | | Field - Conductivity: | 1249 UMHOS/CM |
| | | Field - Temperature: | 5.9 DEG. C |

Comments: Dissolved Metals Filtered at Lab
Sulfuric bottle preserved at lab
pH expired when received

**SGS Minerals Sample ID: 782-0901803-003**

| Tests | Result | Unit | Method | REPORTING LIMIT | ANALYZED DATE | TIME | ANALYST |
|---|---|---|---|---|---|---|---|
| **METALS BY ICP** | | | | | | | |
| Molybdenum, Mo - Dissolved | <0.005 | mg/L | EPA 200.7 | 0.005 | 12/10/2009 | 14:04 | CM |
| Aluminum, Al - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 12/10/2009 | 14:04 | CM |
| Arsenic, As - Dissolved | <0.01 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Boron, B - Dissolved | 0.19 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Cadmium, Cd - Dissolved | <0.001 | mg/L | EPA 200.7 | 0.001 | 12/10/2009 | 14:04 | CM |
| Calcium, Ca - Dissolved | 67.17 | mg/L | EPA 200.7 | 0.030 | 12/10/2009 | 14:04 | CM |
| Copper, Cu - Dissolved | 0.01 | mg/L | EPA 200.7 | 0.010 | 12/15/2009 | 15:05 | CM |
| Iron, Fe - Total | 0.08 | mg/L | EPA 200.7 | 0.050 | 12/08/2009 | 16:20 | CM |
| Iron, Fe - Dissolved | <0.03 | mg/L | EPA 200.7 | 0.030 | 12/10/2009 | 14:04 | CM |
| Lead, Pb - Dissolved | <0.01 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Magnesium, Mg - Dissolved | 76.18 | mg/L | EPA 200.7 | 0.010 | 12/10/2009 | 14:04 | CM |
| Manganese, Mn - Total | 0.004 | mg/L | EPA 200.7 | 0.002 | 12/08/2009 | 16:20 | CM |
| Manganese, Mn - Dissolved | 0.004 | mg/L | EPA 200.7 | 0.002 | 12/10/2009 | 14:04 | CM |
| Potassium, K - Dissolved | 2.64 | mg/L | EPA 200.7 | 0.140 | 12/10/2009 | 14:04 | CM |
| Selenium, Se - Dissolved | <0.02 | mg/L | EPA 200.7 | 0.020 | 12/10/2009 | 14:04 | CM |
| Sodium, Na - Dissolved | 115.52 | mg/L | EPA 200.7 | 0.090 | 12/10/2009 | 14:04 | CM |
| Zinc, Zn - Dissolved | 0.007 | mg/L | EPA 200.7 | 0.004 | 12/10/2009 | 14:04 | CM |

Respectfully submitted,
SGS NORTH AMERICA INC.

Allen Luckington

Huntington Laboratory

# APPENDIX C
# DEPARTMENT OF COMMERCE
# CERTIFICATES OF EXISTENCE

**Utah Department of Commerce**
**Division of Corporations & Commercial Code**
**160 East 300 South, 2nd Floor, PO Box 146705**
**Salt Lake City, UT 84114-6705**
**Service Center: (801) 530-4849**
**Toll Free: (877) 526-3994 Utah Residents**
**Fax: (801) 530-6438**
**Web Site: http://www.commerce.utah.gov**

03/12/2010
4911242-015003122010-1556738

# CERTIFICATE OF EXISTENCE

| | |
|---|---|
| **Registration Number:** | 4911242-0150 |
| **Business Name:** | SUNNYSIDE COGENERATION ASSOCIATES |
| **Registered Date:** | April 24, 2001 |
| **Entity Type:** | DBA |
| **Current Status:** | Good Standing |

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division (unless Delinquent); and, that Articles of Dissolution have not been filed.

Kathy Berg

Kathy Berg
Director
Division of Corporations and Commercial Code

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# Utah Department of Commerce Business Entity Search

Help

## Business Entity Search - Principals:

| Name | Type | City | Status |
|---|---|---|---|
| SUNNYSIDE COGENERATION ASSOCIATES | DBA | Sunnyside | Active |

| Position | Name | Address | |
|---|---|---|---|
| Applicant | SUNNYSIDE HOLDINGS I, INC. | 103 SPRINGER BUILDING | WILMINGTON DE 19810 |
| Applicant | SUNNYSIDE II, LP | C/O CONTELLATION POWER | BALTIMORE MD 21202 |
| Registered Agent | BRIAN W BURNETT | 10 E SOUTH TEMPLE ST | Salt Lake City UT 84133 |

Additional Principals on file at Division of Corporations: N

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# Utah Department of Commerce Business Entity Search

Help

| Name | Type | City | Status |
|---|---|---|---|
| SUNNYSIDE COGENERATION ASSOCIATES | DBA | Sunnyside | Active |

**Business Name:** SUNNYSIDE COGENERATION ASSOCIATES
**Entity Number:** 4911242-0150
**Registration Date:** 04/24/2001
**State of Origin:**

## Address

ONE POWER PLANT RD PO BOX 159
Sunnyside, UT 84539

## Status

**Status:** Active
**Status Description:** Good Standing
**This Status Date:** 04/24/2001
**Last Renewed:** 02/25/2010
**License Type:** DBA
**Delinquent Date:** 04/24/2013

## Registered Agent

**Registered Agent:** BRIAN W BURNETT
[Search BES] [Search RPS]
**Address Line 1:** 10 E SOUTH TEMPLE ST
**Address Line 2:** STE 900
**City:** Salt Lake City
**State:** UT
**Zip:** 84133

## Additional Information

**NAICS Code:** 2211
**NAICS Title:** 2211-Electric Power Generation, Transmis
**Qualified Alien - I-94 or:**
**Qualified Alien - Registration No:**
**U.S. Citizen - SSN or:**

**With this information, you can...**

**Images are not available for DBA documents at this time.**

Purchase Certificate of Existence

If you would like to purchase a Certificate of Existence for this business entity, select the button to the left. You will be assessed a **$ 12.00 fee** for this service. You will need Adobe Reader to view this certificate. If you do not have Adobe Reader, click on the button below and download it.

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Access Principal Information

If you would like to receive information on the principal individuals associated with this entity, click the button on the left. You will be assessed a **$ 1.00 fee** for this information.

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**Division of Corporations & Commercial Code**
**160 East 300 South, 2nd Floor, PO Box 146705**
**Salt Lake City, UT 84114-6705**
**Service Center: (801) 530-4849**
**Toll Free: (877) 526-3994 Utah Residents**
**Fax: (801) 530-6438**
**Web Site: http://www.commerce.utah.gov**

03/12/2010
2113550-018103122010-1943911

# CERTIFICATE OF EXISTENCE

| | |
|---|---|
| **Registration Number:** | 2113550-0181 |
| **Business Name:** | SUNNYSIDE II, L.P. |
| **Registered Date:** | December 30, 1994 |
| **Entity Type:** | Limited Partnership - Foreign |
| **Current Status:** | Good Standing |

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division (unless Delinquent); and, that Articles of Dissolution have not been filed.

Kathy Berg

Kathy Berg
Director
Division of Corporations and Commercial Code

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Utah Department of Commerce **Business Entity Search**

Help

## Business Entity Search - Principals:

| Name | Type | City | Status |
|---|---|---|---|
| SUNNYSIDE II, L.P. | Limited Partnership | BALTIMORE | Active |

| Position | Name | Address | |
|---|---|---|---|
| Registered Agent | C T CORPORATION SYSTEM | 136 EAST SOUTH TEMPLE, SUITE 2100 | Salt Lake City UT 84111 |
| Partner | SUNNYSIDE II, INC. | 750 E PRATT STREET 5TH FL | Baltimore MD 21202 |

Additional Principals on file at Division of Corporations: N

Back to search results | Do Another Search

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# Utah Department of Commerce Business Entity Search

Help

| Name | Type | City | Status |
|---|---|---|---|
| SUNNYSIDE II, L.P. | Limited Partnership | BALTIMORE | Active |

**Business Name:** SUNNYSIDE II, L.P.
**Entity Number:** 2113550-0181
**Registration Date:** 12/30/1994
**State of Origin:** DE

## Address

750 E PRATT ST 17TH FLOOR
BALTIMORE, MD 21202

## Status

**Status:** Active
**Status Description:** Good Standing
**This Status Date:** N/A
**Last Renewed:** 11/25/2009
**License Type:** Limited Partnership - Foreign
**Delinquent Date:** 12/30/2010

## Registered Agent

**Registered Agent:** C T CORPORATION SYSTEM
[Search BES] [Search RPS]
**Address Line 1:** 136 EAST SOUTH TEMPLE, SUITE 2100
**Address Line 2:**
**City:** Salt Lake City
**State:** UT
**Zip:** 84111

## Additional Information

**Additional Principals:** N
**Amendment Date:**
**NAICS Code:** 5239
**NAICS Title:** 5239-Other Financial Investment Activiti
**Qualified Alien - I-94 or:**
**Qualified Alien - Registration No:**
**U.S. Citizen - SSN or:**

**With this information, you can...**

Search for Images

If you would like to view images of paper filings for this business entity, select the button to the left. You will be assessed a **$ 2.00** fee per image of a document for this service.

Purchase Certificate of Existence

If you would like to purchase a Certificate of Existence for this business entity, select the button to the left. You will be assessed a **$ 12.00 fee** for this service. You will need Adobe Reader to view this certificate. If you do not have Adobe Reader, click on the button below and download it.

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Access Principal Information

If you would like to receive information on the principal individuals associated with this entity, click the button on the left. You will be assessed a **$ 1.00 fee** for this information.

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**Division of Corporations & Commercial Code**
**160 East 300 South, 2nd Floor, PO Box 146705**
**Salt Lake City, UT 84114-6705**
**Service Center: (801) 530-4849**
**Toll Free: (877) 526-3994 Utah Residents**
**Fax: (801) 530-6438**
**Web Site: http://www.commerce.utah.gov**

03/12/2010
1215877-014303122010-2374070

# CERTIFICATE OF EXISTENCE

| | |
|---|---|
| **Registration Number:** | 1215877-0143 |
| **Business Name:** | SUNNYSIDE HOLDINGS I, INC. |
| **Registered Date:** | December 30, 1994 |
| **Entity Type:** | Corporation - Foreign - Profit |
| **Current Status:** | Good Standing |

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division (unless Delinquent); and, that Articles of Dissolution have not been filed.

Kathy Berg

Kathy Berg
Director
Division of Corporations and Commercial Code

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# Utah Department of Commerce Business Entity Search

Help

## Business Entity Search - Principals:

| Name | Type | City | Status |
|---|---|---|---|
| SUNNYSIDE HOLDINGS I, INC. | Corporation | WILMINGTON | Active |

| Position | Name | Address | |
|---|---|---|---|
| Registered Agent | C T CORPORATION SYSTEM | 136 EAST SOUTH TEMPLE, SUITE 2100 | Salt Lake City UT 84111 |
| Director | WILLIS S MCLEESE | 1105 N. MARKET ST. | WILMINGTON DE 19801 |
| President | CHRIS L THOMPSON | 1105 N. MARKET STREET | WILMINGTON DE 19801 |
| President | CHRIS L THOMPSON | 1105 N. MARKET STREET | WILMINGTON DE 19801 |

Additional Principals on file at Division of Corporations: N

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# Utah Department of Commerce Business Entity Search

Help

| Name | Type | City | Status |
|---|---|---|---|
| SUNNYSIDE HOLDINGS I, INC. | Corporation | WILMINGTON | Active |

**Business Name:** SUNNYSIDE HOLDINGS I, INC.
**Entity Number:** 1215877-0143
**Registration Date:** 12/30/1994
**State of Origin:** DE

## Address

1105 N. MARKET STREET SUITE 1300
WILMINGTON, DE 19801

## Status

**Status:** Active
**Status Description:** Good Standing
**This Status Date:** 03/23/2006
**Last Renewed:** 11/19/2009
**License Type:** Corporation - Foreign - Profit
**Delinquent Date:** 12/30/2010

## Registered Agent

**Registered Agent:** C T CORPORATION SYSTEM
[Search BES] [Search RPS]
**Address Line 1:** 136 EAST SOUTH TEMPLE, SUITE 2100
**Address Line 2:**
**City:** Salt Lake City
**State:** UT
**Zip:** 84111

## Additional Information

**Additional Principals:** N
**NAICS Code:** 5617
**NAICS Title:** 5617-Services to Buildings and Dwellings
**Qualified Alien - I-94 or:**
**Qualified Alien - Registration No:**
**Stock Class 1 Amount:** 0000000000
**Stock Class 2 Amount:** 0000000000
**Stock Class 3 Amount:** 0000000000
**Stock Class 4 Amount:** 0000000000
**U.S. Citizen - SSN or:**

**With this information, you can...**

Search for Images

If you would like to view images of paper filings for this business entity, select the button to the left. You will be assessed a **$ 2.00** fee per image of a document for this service.

Purchase Certificate of Existence

If you would like to purchase a Certificate of Existence for this business entity, select the button to the left. You will be assessed a **$ 12.00 fee** for this service. You will need Adobe Reader to view this certificate. If you do not have Adobe Reader, click on the button below and download it.

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Access Principal Information

If you would like to receive information on the principal individuals associated with this entity, click the button on the left. You will be assessed a **$ 1.00 fee** for this information.

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| MINE MAP | DEPT OF COMMERCE | WATER DATA | CLIMATE DATA | CERTIFIED REPORTS | ANNUAL REPORT |
|---|---|---|---|---|---|

# APPENDIX D
# MINE MAP

**As required under R645-302-525-270**